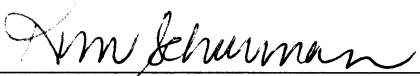


**CERTIFICATION
OF
NEW JERSEY TURNPIKE AUTHORITY**

I, James D. Carone, hereby certify that I am the Deputy Executive Director of the New Jersey Turnpike Authority and as such, certify that the attached copy of PROCEEDINGS OF THE NEW JERSEY TURNPIKE AUTHORITY is a true and correct copy of the Minutes of the June 28, 2022 Meeting of the Authority.

IN WITNESS THEREOF, I have hereunto set my hand and affixed the official seal of the New Jersey Turnpike Authority this 28th day of June, 2022.

ATTEST:



Kim Schurman
Secretary to the Authority



James D. Carone
Deputy Executive Director

Corporate Seal

Date: June 28, 2022

Received in the Governor's Office June 28, 2022

Received by:

Print Name

Signature

Veto Period Ends:

July 13, 2022
(Write in the date the veto period ends)



State of New Jersey

OFFICE OF THE GOVERNOR
P.O. Box 001
TRENTON, NJ 08625-0001

PHILIP D. MURPHY
GOVERNOR

NOREEN M. GIBLIN, ESQ.
DEPUTY CHIEF COUNSEL

TO: Kim Schurman Schurman@njta.com
FROM: Kelley Trimble, Authorities Unit, Office of the Governor
DATE: June 28, 2022
RE: New Jersey Turnpike Authority Minutes

This email is confirmation that the Authorities Unit received the minutes from the June 28, 2022 board meeting on June 28, 2022. The calculated veto date is July 13, 2022.

Thank you.

Attachment

cc: Jeffry Nielsen



State of New Jersey

OFFICE OF THE GOVERNOR

P.O. Box 001

TRENTON, NJ 08625-0001

PHILIP D. MURPHY
Governor

June 28, 2022

Via: Electronic mail

Honorable Diane Gutierrez-Scaccetti, Chair
New Jersey Turnpike Authority
One Turnpike Plaza
PO Box 5042
Woodbridge, New Jersey 07095-5042

RE: June 28, 2022 Meeting of the New Jersey Turnpike Authority Board of Commissioners

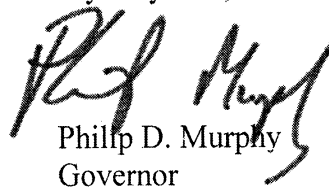
Dear Chair Gutierrez-Scaccetti:

In accordance with the provisions of the New Jersey Turnpike Authority Act, N.J.S.A. 27:23-1 et seq., as amended and supplemented (the "Act"), including specifically, N.J.S.A. 27:23-3(F) and all other applicable law, I hereby approve that portion of the minutes of the June 28, 2022 meeting of the New Jersey Turnpike Authority Board of Commissioners relating to the adoption of Resolution 130-06-2022 "Authorizing Notice of Adoption of Amendments to Towing Regulations at N.J.A.C. 19:9-3.1 and 3.2 to Increase Towing and Road Service Rates and Fees."

I specifically reserve my right to veto any and all other actions taken by the Authority at its meeting on June 28, 2022.

For purposes of the Act and all applicable law, this letter shall immediately be in full force and effect.

My very best,


Philip D. Murphy
Governor

c. John M. Keller, Executive Director

**PROCEEDINGS OF MEETING OF NEW JERSEY TURNPIKE AUTHORITY
BOARD OF COMMISSIONERS**

Tuesday, June 28, 2022

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Chair Gutierrez-Scaccetti called the meeting of the Authority's Board of Commissioners (the Board) into session in the Executive Boardroom of the Authority's Headquarters Building at 1 Turnpike Plaza in Woodbridge, New Jersey, at 9:00 A.M.

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Pledge of Allegiance

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PRESENT

Present were Chair Gutierrez-Scaccetti, Vice Chair Ulises Diaz, Treasurer Michael DuPont, Commissioner Ronald Gravino, Commissioner John Minella and Commissioner Raphael Salermo (Absent). The meeting commenced at 9:00 a.m.

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ALSO PRESENT

Executive Director John Keller (by tele-conference), Deputy Executive Director James Carone, Chief Financial Officer Donna Manuelli; Acting Chief Engineer Michael Garofalo, Chief Information Officer Jose Dios; Acting Director of Law Ann Christine Monica; Director of Human Resources Mary Elizabeth Garrity; Director of Internal Audit Donna Wilser, Director of Operations Kevin Dunn; Director of Procurement and Materials Management Dale Barnfield, Director of Tolls John Pagliarulo; Director of Community and Government Relations Shawn Taylor; New Jersey State Police Major Sheila McKaig-Devlin, State Police Troop D; and Secretary to the Authority Kim Schurman and NJ Advanced Media.

Also present were: Outside Counsel, Judy Verrone, Esq., of DeCotiis, FitzPatrick, Cole & Giblin, LLP, Governors' Authorities Unit Representative, Jeffry Nielsen (by tele-conference) and Deputy DOT Commissioner Joseph Bertoni (by tele-conference). NJ Advanced Media was also present.

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NOTICE OF MEETING

This is a regular meeting of the New Jersey Turnpike Authority. Adequate notice of this meeting has been provided in accordance with Chapter 231, P.L. 1975 in that notice has been given to The Star Ledger and the Asbury Park Press, as well as numerous other newspapers, posted in the main lobby of the Authority's Administration Offices at 1 Turnpike Plaza, Woodbridge, prominently posted on the New Jersey Turnpike Authority's website at www.njta.com and on various social media platforms, including Facebook and Twitter, and notice has been forwarded to the Secretary of State, Trenton, New Jersey. Additionally, Authority public meetings will be held in-person and telephonically commencing with the April 26, 2022 Board Meeting. Information and instructions regarding telephonic access to the meetings by the public has been posted on the Authority's website.

Secretary to the Authority Schurman takes Roll Call and the Following Were Present:

1. Vice Chair Diaz
2. Treasurer DuPont
3. Commissioner Gravino
4. Commissioner Minella
5. Commissioner Salerno (Absent)
6. Chair Gutierrez-Scaccetti

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EXECUTIVE SESSION

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

- Litigation
- Contract Negotiations
- Personnel

The motion was made by Vice Chair Diaz and seconded by Treasurer DuPont and, after the voice vote, the motion was duly adopted by the Board of Commissioners of the New Jersey Turnpike Authority.

Executive Session was adjourned at 9:37 a.m. A motion was made by Treasurer DuPont and seconded by Commissioner Minella to resume the public portion of the meeting at 9:40 a.m.

Secretary to the Authority Schurman takes Roll Call and the Following Were Present:

1. Vice Chair Diaz
2. Treasurer DuPont
3. Commissioner Gravino
4. Commissioner Minella
5. Commissioner Salerno (Absent)
6. Chair Gutierrez-Scaccetti

The Secretary to the Authority reported that ten days, excluding Saturdays, Sundays and holidays, have elapsed since Governor Philip D. Murphy received the proceedings of the regular meeting of May 24, 2022; he did not exercise his power to veto any items in those minutes.

Upon motion made by Treasurer DuPont seconded by Commissioner Gravino the minutes of the meeting was unanimously approved.

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RECUSALS

The Secretary to the Authority reported recusals or abstentions submitted for the record:

No recusals noted

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PUBLIC COMMENT (in Person)

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Murray Bodin

Mr. Bodin said he has been making the same requests for the last fifteen to twenty years. Mr. Bodin said there are thousands of illegal lines and they cause accidents. Mr. Bodin further noted Kevin

Dunn needs to make these corrections under the advisement of the Board. Mr. Bodin said the New Jersey State Police should be wearing a reflective safety vest. Mr. Bodin further stated the State Troopers should not be called Troopers, he said it has a connotation that does not fit in the world we live in today.

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Barry Kushnir, Local 194

Mr. Kushnir said he is thankful for the Leadership at the Authority. Mr. Kushnir advised the Authority is committed to re-negotiations in the fall. Mr. Kushnir also noted there are some positions that may need to be enhanced.

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John Reichman, Empower New Jersey

Mr. Reichman want to express his opposition to the Turnpike Extension expansion. Mr. Reichmann said the Authority has refused to address the negative effects the expansion will have on the Jersey City residents. Mr. Reichmann requests the Authority answer questions regarding this project. Mr. Reichmann further advised the Authority should hold a public meeting to address all questions and possible alternatives.

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PUBLIC COMMENT (remote by tele-conference)

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Angie Haines, Garden State Towing Assoc and Haines Towing

Ms. Haines wanted to thank the Authority for all the work that they have done to get the rate changes and said it is greatly appreciated. Ms. Haines also wanted to thank the Authority for the relief offered regarding the fuel surcharges. Ms. Haines said some of the other rates are still not aligned with the State Police. Ms. Haines concluded with overall they are greatly appreciative of what the Authority has done and hopes to continue this working relationship.

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James Solomon, Ward E Jersey City

Mr. Solomon wanted to express his opposition to the plan to widen the New Jersey Turnpike through Jersey City, as proposed and outlined. Mr. Solomon advised this is a very bad idea and encourages the Authority to go back to the drawing board. Mr. Solomon said you will find a wall of opposition to this plan.

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Eric Conner, Resident of Jersey City

Mr. Conner said he wants to oppose the plan to widen the New Jersey Turnpike. Mr. Conner said he recognizes the Casiano Bridge is in need of replacement, but he feels expanding the Turnpike on the approach to the Holland Tunnel does not make sense.

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Emmanuel Morgan, Resident of Jersey City

Ms. Morgan said she is opposed to the plan to widen the New Jersey Turnpike. Ms. Morgan said the environment cannot tolerate anymore congestion and she urges the Turnpike Authority to reconsider its mission.

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Jimmy Lee, President of Safe Streets Jersey City

Mr. Lee said he is here to urge the end of the toxic widening of the expansion. Mr. Lee asked if the Authority works for the benefit of the people of New Jersey or is it a tumor. Mr. Lee said the Turnpike measures VMT (Vehicle Miles Traveled) and does not work to benefit the people of New Jersey. Mr. Lee asked the Authority to fundamentally adjust its goals to count the movement of people and goods and create goals around sustainability and environmental impact. Mr. Lee urges the Authority to work with other agencies to best serve people of New Jersey through bus lanes and investment in freight rail expansion.

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Talia Schwartz, Resident of Jersey City

Ms. Schwartz opposes the Turnpike widening. Ms. Schwartz said her child's asthma gets better when she leaves the area.

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Doug O'Malley, Director of Environment New Jersey

Mr. O'Malley said he is one of the lead organizations that submitted a petition to the New Jersey Turnpike Authority on behalf of Empower New Jersey and 135 other organizations who are representing a lack of action to reduce climate pollutants as per Governor Murphy's Executive Order 274 specifically, it is a direct violation to expand the Authority. Mr. O'Malley asked the Chair if a traffic study has been completed. Mr. O'Malley strongly encourages the Authority to scrap this expansion of the extension and look at other ways to invest in mass transit opportunities.

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Eric Benson, Clean Water Action

Mr. Benson said he has been working to combat climate change. Mr. Benson asked the Authority to look at the parallels between this project and the project that got canceled for the 710 Freeway Expansion in Los Angeles. Mr. Benson said both projects are in heavily populated areas, divided communities, polluted communities, direct links to major courts and goods movement corridors and both with residents and communities with opposition. Mr. Benson this project should be halted and our questions answered.

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EXECUTIVE DIRECTOR COMMENTS

None

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VICE CHAIR COMMENTS

None

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CHAIR COMMENTS

None

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COMMISSIONER COMMENTS

None

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HUMAN RESOURCES

Director of Human Resources, Mary-Elizabeth Garrity requested approval of item number 109-06-2022. Moved is the item as follows:

109-06-2022

Director of Human Resources, Mary-Elizabeth Garrity submitted the **Personnel Agenda**, dated June 28, 2022, and requested confirmation of the personnel matters contained therein. The Executive Director certified the recommendations for consideration.

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

DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ-SCACCETTI
YES	YES	YES	YES	ABSENT	YES

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LAW

Acting Director of Law, Ann C. Monica, requested approval of item numbers 110-06-2022 and 130-06-2022. Moved are the items as follows:

110-06-2022

In a memorandum dated June 9, 2022, **Authorization to enter into a Revocable Emergency Access Agreement with the Township of South Brunswick to Allow Access for Emergency Response Vehicles to Utilize +/- .92 acres of Authority Property**, was approved.

The Authority received a request from the Township of South Brunswick (the "Township") to allow access for emergency response vehicles only across Authority property, on behalf of a developer who is developing property located near Turnpike Interchange 8A the ("Emergency Access Agreement").

Pursuant to the proposed Emergency Access Agreement, the Authority will grant permission for limited use by Township emergency police and fire response vehicles to access certain property located adjacent to the Authority owned Park and Ride, revocable upon 30 days' notice to the Township. The Township will be responsible for constructing all improvements necessary for access, including guiderail, fencing, signage and a gate; will defend and indemnify for all damages and injuries in accordance with the New Jersey Tort Claims Act., N.J.S.A. 59:1-1 et seq.; and shall provide insurance as required by the Authority.

Accordingly, it is requested that the Board of Commissioners delegate to the Executive Director the authority to execute the proposed agreement with the Township of South Brunswick as outlined above, upon the recommendation of the Law and Engineering Departments. It is further recommended

that the Commissioners authorize the Executive Director to execute any such other documents and take any such other actions as are deemed necessary to effectuate the intent of this authorization.

130-06-2022

In a memorandum dated June 28, 2022, **Authorizing Notice of Adoption of Amendments to Towing Regulations at N.J.A.C. 19:9-3.1 and 3.2 to Increase Towing and Road Service Rates and Fees**, was approved.

At the January 25, 2022 public meeting of the Authority's Board of Commissioners, the Board approved Agenda Item No. 003-01-2022, authorizing amendments to the Authority's regulations at N.J.A.C. 19:9-3.1 and 3.2 to increase Towing and Road Service Rates and Fees on the New Jersey Turnpike and Garden State Parkway. In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq (APA) and Office of Administrative Law (OAL) rulemaking procedures and regulations (the "Rulemaking Process"), the Notice of Proposed Rules was published in the March 7, 2022 edition of the *New Jersey Register*, the public was provided sixty (60) days to comment on the March 7, 2022 Proposed Rules, and the public comment period ended on May 6, 2022. The Rulemaking Process requires that the Authority consider any comments received and, if deemed appropriate, amend the Proposed Rules in its final "Notice of Adoption."

The Authority received several comments to the Proposed Rules from interested parties, including the Garden State Towing Association, several Authority towers, and New Jersey Manufacturers Insurance (NJM). For the most part, the Towing Association's comments requested additional increases to the Proposed Rules in light of "drastic increases" in annual overhead costs. The comments received from several Authority towers all focused on the need for a fuel surcharge to be included in the regulations. Finally, NJM commented that some of the Proposed Rules governing heavy duty towing would exceed the maximum New Jersey State Police (NJSP)-approved rates.

After careful consideration of the comments received, and in response to the Towing Association comments, Authority staff has recommended that additional increases to the towing rates, averaging eight per cent (8%) above the rates in the Proposed Rules, be adopted. In making this recommendation, Authority staff determined that the additional increase in rates is warranted given recent intervening events that have occurred since the Proposed Rules were approved, namely, the rising inflation, which was earlier predicted to be short-lived, and the worsening economic outlook created in part by the recent Russian invasion of Ukraine.

As to the comments from several Authority towers related to a fuel surcharge, while Authority staff recognizes the extraordinary rise in fuel costs, it cannot recommend that a fuel surcharge be included in the Proposed Rules and passed on to Authority patrons. Rather, Authority staff is recommending that any relief to be provided to towers by way of a fuel surcharge be incorporated in the next round of contracts to be awarded via bid to qualified Authority towers, and that the Authority, rather than Authority patrons, absorb that cost.

As to NJM's comments, it was never the intent to increase any rates beyond the maximum rates set by the NJSP. Therefore, after a second review of the heavy duty towing rates in the Rule Proposal, Authority staff recommends a reduction in certain of those rates, so they do not exceed the maximum NJSP rate.

A complete summary, as well as the actual text of the rules to be adopted, subject to the Commissioner's approval, is set forth in the attached Notice of Adoption. In accordance with the Rulemaking Process, the Governor's Office has approved the Notice of Adoption for consideration by the Board of Commissioners.

Accordingly, it is requested that the Board of Commissioners approve the attached Notice of Adoption of amendments to N.J.A.C. 19:9-3.1 and 3.2 for submission to the Office of Administrative Law and publication in the August 1, 2022 edition of the *New Jersey Register*. Upon publication on that date, the regulations embodied in the Notice of Adoption will become effective.

Finally, it is requested that the Executive Director be authorized to execute any documents and take any other actions as are deemed necessary to effectuate the intent of this authorization.

OTHER AGENCIES

NEW JERSEY TURNPIKE AUTHORITY

Towing Rates

Adopted Amendments: N.J.A.C. 19:9-3.1 and 3.2

Proposed: March 7, 2022, at 54 N.J.R. 413(a)

Adopted: June 28, 2022, by the New Jersey Turnpike Authority, Diane Gutierrez-Scaccetti, Chair

Filed: [date], R.2022 d.[# to be added by OAL], with non-substantial changes not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 27:23-5(s)

Effective Date: Aug. 1, 2022

Expiration Date: Aug. 1, 2029

Summary of Public Comments and Responses:

Jonathan Testa, Esq., on behalf of the Garden State Towing Association

1. SUMMARY OF COMMENT: As compared to many non-toll roads in this State, the majority of the Turnpike and Parkway towing rates have only seen nominal increases, if any at all, from 1995-2019, despite a significant reduction in accident clearance time. A review of the NJTA's regulations over the last 12 years makes clear that the maximum tow rates for trucks and buses twelve years ago have remained identical to the current rates. Equipment and labor rates have also remained the same for over a decade.

Towing companies saw a drastic increase in annual overhead costs beginning in 2016 due to increased costs for commercial insurance, labor, gas, and equipment. Despite increases in the number of Turnpike/Parkway drivers, toll rates, fuel costs and towing industry overhead operational costs, the NJTA has not made any real change in the rate regulations during this time. COVID-19 has only exacerbated the problem as the current average cost for diesel fuel is now \$5.50 per gallon, with further increases expected throughout this year.

The towing industry has lost trained, experienced and highly skilled drivers to other businesses; and many companies have already been forced to abandon their Turnpike / Parkway contracts all together. The initial proposed rules are a step in the right direction to reach a reasonable solution to these problems, but more needs to be done to increase the rates so they are more in-line with current New Jersey State Police towing rates – reviewed and approved by the New Jersey Attorney General's Office

63857 and presumed fair and reasonable – to address the accelerating operational costs the towing service industry currently faces in the New Jersey market.

Further increase to the rates by NJTA will help towers keep well-trained and experienced employees on staff, allow for the re-hiring of former staff that left for better pay, and enable towers to reinvest in aging equipment to better serve the needs of the Turnpike and Parkway. Based upon the above, in order by specific regulation sub-section/sub-part, the Association respectfully submits the following suggested changes to the NJTA-proposed rates:

1. N.J.A.C. 19:9-3.1(a)(1)(i)(1), per-mile rate for class 1 vehicles should be further increased from \$4.00 per mile to \$5.00 per mile and the maximum service charge increased from \$148.00 to \$158.00;
2. N.J.A.C. 19:9-3.1(a)(2)(i)(1)(A), per-mile rate for class 2 vehicles should be further increased from \$4.50 per mile to \$6.00 per mile;
3. N.J.A.C. 19:9-3.1(a)(2)(ii)(1), base service charge for class 3 vehicles should be further increased from \$375.00 to \$438.00; the per-mile rate should be further increased from \$5.75 per mile to \$8.00 per mile; and the maximum service charge should be further increased from \$432.50 to \$518.00;
4. N.J.A.C. 19:9-3.1(a)(2)(iii)(1), fee for connecting air lines and connecting lights should be further increased from \$38.00 to \$50.00;
5. N.J.A.C. 19:9-3.1(a)(2)(iii)(2), fee for disconnecting drive shaft should be further increased from \$68.00 to \$75.00;
6. N.J.A.C. 19:9-3.1(a)(2)(iii)(3), per-axle fee for removing each axle should be further increased from \$60.00 per-axle to \$75.00 per axle;
7. N.J.A.C. 19:9-3.1(a)(2)(iii)(4), fee for removing an air scoop should be further increased from \$68.00 to \$75.00;
8. N.J.A.C. 19:9-3.1(a)(3)(ii), hourly rate for a heavy wrecker should be further increased from \$228.00 per hour to \$260.00;
9. N.J.A.C. 19:9-3.1(a)(4)(ii), per-hour rate for Rotator 60-ton capacity and up, and for 50-ton construction crane should be further increased from \$788 per hour to \$900 per hour;
10. N.J.A.C. 19:9-3.1(a)(5)(i), rates for 60-ton Rotator and 50-ton construction crane should be further increased from \$788 per hour to \$900 per hour;
11. N.J.A.C. 19:9-3.1(a)(5)(i), rates for a light duty flatbed, as well as a light duty flatbed with wheel lift, should both be further increased from \$105.00 per hour to \$140.00 per hour, respectively;
12. N.J.A.C. 19:9-3.1(a)(5)(i), hourly rate for a tractor only should be further increased from \$350 to \$438;
13. N.J.A.C. 19:9-3.1(a)(5)(i), the hourly rates for labor regarding supervisor should be increased from \$150.00 to \$200 per hour, tech labor should be increased from \$100 to \$150.00 per hour, and manual labor should be increased from \$75 to \$125.00 per hour;
14. N.J.A.C. 19:9-3.1(b)(1), storage rates for passenger vehicles should be further increased from \$40 to \$45 dollars per calendar day after the initial 12-hour grace period;
15. N.J.A.C. 19:9-3.1(b)(3)(i), storage rates for vehicles over 15,000 pounds should be increased from \$75.00 per mile per calendar day to \$150 per mile per calendar day after the initial 12-hour grace period, as the regulations do not consider the length of the vehicle and the space the vehicle takes up in our towers' storage yards;
16. N.J.A.C. 19:9-3.1(b)(3)(ii), storage rates for buses over 15,000 pounds should be increased from \$150.00 per calendar day to \$200 per calendar day after the initial 12- hour grace period, as the regulations do not consider the length of the vehicle and the space the vehicle takes up in our towers' storage yards; and
17. N.J.A.C. 19:9-3.2(a)(1), the Road Service charge should be further increased from \$75 to \$105.00.

Without these further requested increases, we believe that many towing businesses that service the New Jersey Turnpike and Garden State Parkway will not be able to survive the next five years, especially given the significant increases in inflation and overhead costs that have more than doubled since 2016.

RESPONSE: The New Jersey Turnpike Authority ("NJTA" or "Authority") operates two of the busiest toll roads in North America. The NJTA's success as a national leader in incident response, recovery and roadway clearance times is partly due to its relationship with the State of New Jersey's highway towing and recovery industry.

The proposed rates by the NJTA on March 7, 2022 were designed by applying and adjusting for current market influences such as insurance, storage, real estate taxes, fuel costs and employee competition by other industries. At the time of the design of these proposed rates, the existing 40-year high national inflation was in its early stages and the guidance given by the Federal Reserve was that this inflation was transitory. Furthermore, the volatility created by the 2022 Russian Federation invasion of Ukraine was in its infancy. Both issues appear to be more enduring than initially forecast.

The Association's comment requests an additional increase to the proposed rates for basic and specialized towing and recovery services. After careful consideration, the NJTA determines that an additional increase to the proposed rates is warranted given more recent events. Specifically, due to the foregoing national and international market forces, the NJTA has determined to adjust the March 7, 2022 Notice of Rule Proposal rates by an increase of approximately eight percent (8%) in accordance with the 2022 monthly inflation rates provided by The United States Bureau of Labor Statistics. Eight percent is the peak of the monthly 2022 inflation rates. However, as and where applicable, the 8% increase to the proposed March 7, 2022 rates will be capped as not to exceed the analogous New Jersey State Police statewide towing and recovery rates.

A Summary of Changes Upon Adoption follows the recitation and response to comments herein.

Stephanie L. Sikora, Esq., on behalf of New Jersey Manufacturers Insurance Company

2. SUMMARY OF COMMENT: Regarding certain heavy-duty towing rates, the New Jersey State Police (NJSP) responds to accidents that occur on the Turnpike and the Parkway and NJSP maximum rates were created in cooperation with the Garden State Towing Association, whose members provide services on the Turnpike and the Parkway. Certain heavy-duty towing rates proposed by the Authority exceed the maximum NJSP rates, and we recommend that these rates be aligned for consistency and cost-containment purposes. For example, the Authority's proposed service provider rate for refrigerated trailers is \$525 per hour, whereas NJSP limits this rate to \$450 per hour. Similarly, the Authority's proposed service provider rate for front-end loaders is \$438 per hour, whereas NJSP limits this rate to \$300 per hour.

We understand that the Authority is seeking to bring its service provider fees in line with those of other regional toll roads, as well as to address challenges currently impacting service providers. However, some of the proposed heavy-duty towing rates exceed the NJSP maximum rates by significant amounts. As

NJSP maximum rates were created with input from the Garden State Towing Association, we recommend that the Authority's limits on fees charged by service providers align with NJSP maximum rates.

RESPONSE: The NJTA does not desire to adopt a rate that exceeds a previously established State maximum. After a second review, where applicable the March 7, 2022 proposed rates will be reduced to this maximum threshold.

A Summary of Changes Upon Adoption follows the recitation and response to comments herein.

John Tumino, on behalf of Tumino's Towing Inc.:

Angie Haines, on behalf of Haines Towing Inc. (combined for similarity)

3. and 4. SUMMARY OF COMMENTS: Due to the rising cost of fuel, which is currently at unprecedented highs, it is imperative for toll road towers to be able to cover the extra costs in order to continue to provide emergency towing and roadside services on the Parkway and Turnpike. We are requesting the Authority to allow its towers to charge a "fuel surcharge" in amounts that are fair and reasonable to industry standards. We believe this surcharge could be enacted immediately under the provisions established in Item 21 of Section II in the Prequalification of Contractors for Routine Towing Services on the New Jersey Turnpike and Garden State Parkway, which provides for "Extraordinary Circumstances." Also, multiple items were not increased, such as storage on Class III vehicles.

RESPONSE: The NJTA will provide for fuel surcharges, under appropriate circumstances, in its contractual documents with successful towing and recovery companies through the preestablished NJTA open bidding process. The NJTA elects not to impose fuel surcharge rules through Title 19 of the New Jersey Administrative Code. Fuel surcharges will not be imposed on Authority patrons but will be a contractual obligation of the Authority.

As to the Class III vehicles storage rate, no change was initially proposed. However, given the recent national and international market forces at work, as described above, Class III vehicles storage rate will be increased by 8% increase.

A Summary of Changes Upon Adoption follows the recitation and response to comments herein.

Sean Cody, on behalf of B & L Towing & Recovery

5. COMMENT: The time since the last small rate increase is 5 years, and prior to that it was 13 years for a minor increase. Prior to these small increases, it was many years since the last change in towing rates, which was actually a decrease in tractor trailer towing and a slight increase in light duty rates.

There has never been a comparable increase close to the costs of doing business, including the cost of living, insurance, fuel, equipment, labor and driver/operator costs. Inflation has hit close to 8%, fuel is now at \$6.50 per gallon. These rates should be increased by 15 to 20%, from storage to all types of towing and recovery rates.

A fuel surcharge is no doubt needed for the towing companies to be able to continue servicing the Authority's needs. For reference to how important this is to the tow garages contracted to tow on the Parkway or Turnpike, on January 3rd of 2022 diesel fuel was at a competitive rate \$3.46 per gal. On May 3, 2022 diesel fuel is an outrageously high \$6.41. Please consider a fuel surcharge to be allowed to the garages, that clear your roadways everyday 24 hours 7 days per week, as well as a 15 to 20% additional rate increase to cover the outrageously high costs of doing business in New Jersey.

RESPONSE: The Authority has determined to apply an 8% increase to proposed rates, as explained in Response to Comment 1, above. Additionally, the Authority will address fuel surcharges as set forth in Response to Comments 3 and 4, above.

Summary of Changes Upon Adoption: The Authority's March 7, 2022 proposed rates at N.J.A.C. 19:9-3.1(a)(1) provided for a maximum service charge increase for towing services for Class 1 vehicles (under 7,000 pounds Gross Vehicle Weight Rating (G.V.W.R.), generally, "Passenger Vehicles") from \$72.00 to \$108.00, and an increase in the per mile charge from \$3.50 to \$4.00, with the total maximum fee for Class 1 vehicles, including the service charge, from \$107.00 to \$148.00. The Authority has determined that an additional increase to these rates, averaging eight per cent (8%), is warranted, given recent market forces. Therefore, the maximum service charge for towing services for Class 1 vehicles shall be increased from \$72.00 to \$116.50, and the per mile charge shall be increased from \$3.50 to \$4.25, resulting in an increase in the total maximum fee for Class 1 vehicles, including the service charge, from \$107.00 to \$159.00.

Additionally, as set forth in the March 7, 2022 rule proposal, N.J.A.C. 19:9-3.1(a)(1)(i)(2), governing fees for tows of Class 1 vehicles to other than the service provider's NJTA-authorized garage facility at a patron's request (Alternate Destination Tow), will be deleted. Rather, the NJTA intends to include provisions in contracts awarded pursuant to N.J.A.C. 19:9-2.13 that ensure the fees for such Alternate Destination Tows are reasonable and fair to Authority patrons who request an Alternate Destination Tow.

The Authority's March 7, 2022 proposed rates at N.J.A.C. 19:9-3.1(a)(2) provide for an increase in the maximum service charge for towing services for Class 2 vehicles (7,000 pounds and over G.V.W.R.; for example, straight truck, or passenger vehicle with trailer) from \$132.00 to \$198.00, and an increase in the per-mile charge from \$4.00 to \$4.50, resulting in an increase in the total maximum fee for Class 2 vehicles, including the service charge, from \$172.00 to \$243.00. The Authority has determined that an additional increase to these rates, averaging eight per cent (8%), is warranted, given recent market forces. Therefore, the maximum service charge for towing services for Class 2 vehicles (7,000 pounds and over G.V.W.R.; for example, straight truck, or passenger vehicle with trailer) shall be increased from \$132.00 to \$214.00, and the per-mile charge increased from \$4.00 to \$4.75, resulting in an increase in the total maximum fee for Class 2 vehicles, including the service charge, from \$172.00 to \$261.50. The amendments propose to delete N.J.A.C. 19:9-3.1(a)(2)(i)(1)(B) governing Alternate Destination Tows.

The Authority's March 7, 2022 proposed rates at N.J.A.C. 19:9-3.1(a)(2)(ii) provide for an increase in the maximum service charge for towing services for Class 3 vehicles (generally, over 15,000 pounds G.V.W.R.) from \$250.00 to \$375.00, and an increase in the per mile charge from \$5.00 to \$5.75, resulting in an increase in the total maximum fee for Class 3 vehicles, including the service charge, from \$300.00 to \$432.50. The Authority has determined that an additional increase to these rates, averaging eight per cent (8%), is warranted, given recent market forces. Therefore, the maximum service charge for towing services for Class 3 vehicles (generally, over 15,000 pounds G.V.W.R.) shall be increased from \$250.00 to \$405.00, and the per-mile charge increased from \$5.00 to \$6.00, resulting in an increase in the total maximum fee for Class 3 vehicles, including the service charge, from \$300.00 to \$465.00.

The Authority's March 7, 2022 proposed rates at N.J.A.C. 19:9-3.1(a)(2)(iii) provide an increase in fees for services to Class 2 or Class 3 vehicles from \$30.00 to \$38.00 for connecting air lines and from \$30.00 to \$38.00 for connecting lights; from \$54.00 to \$68.00 for disconnecting drive shaft on all trucks; from \$48.00 to \$60.00 per axle for removing an axle; and from \$54.00 to \$68.00 for removing an air scoop. The Authority has determined that an increase of 25 percent is warranted, given recent market forces. Therefore, fees for services to Class 2 or Class 3 vehicles shall be increased from \$38.00 to \$41.00 for connecting air lines and from \$38.00 to \$41.00 for connecting lights; from \$68.00 to \$73.50 for disconnecting drive shaft on all trucks; from \$60.00 to \$65.00 per axle for removing an axle; and from \$68.00 to \$73.50 for removing an air scoop.

The Authority's March 7, 2022 proposed rates at N.J.A.C. 19:9-3.1(a)(3) provide an increase in winching and wrecking fees from \$80.00 to \$140.00 per hour for a light wrecker, and from \$130.00 to \$228.00 per hour for a heavy wrecker.

The Authority has determined that an increase of 75 percent is warranted, given recent market forces; therefore, fees for winching and wrecking at N.J.A.C. 19:9-3.1(a)(3) will be increased from \$140.00 to \$151.00 per hour for a light wrecker and from \$228.00 to \$246.00 per hour for a heavy wrecker.

The Authority's March 7, 2022 proposed rates at N.J.A.C. 19:9-3.1(a)(5) provide an increase in hourly rates covering equipment listed for extra heavy duty towing and recovery services, including (i) from \$250.00 to \$438.00 per hour for heavy duty wreckers, (ii) from \$250.00 to \$438.00 per hour for Landoll w/tractor, (iii) \$250.00 to \$438.00 per hour for relief box trailer, (iv) \$450.00 to \$788.00 per hour for 60-ton rotator, (v) from \$450 to \$788.00 per hour for 50-ton construction crane, (vi) from \$60.00 to \$105.00 per hour for light duty flatbed, (vii) from \$60.00 to \$105.00 per hour for light duty tow truck with wheel lift, (viii) from \$300.00 to \$525.00 per hour for relief refrigerator tractor trailer, (ix) from \$200.00 to \$350.00 per hour for tractor only, (x) from \$250.00 to \$438.00 per hour for heavy duty flatbed, (xi) from \$250.00 to \$438.00 per hour for service truck, (xii) from \$250.00 to \$438.00 per hour for front end loader (two-yard minimum bucket), (xiii) from \$250.00 to \$438.00 per hour for bob cat/skid steer, (xiv) from \$250.00 to \$438.00 per hour for fork lift (5,000 pounds minimum capacity), (xv) from \$250.00 to \$438.00 per hour for backhoe, (xvi) from \$250.00 to \$438.00 per hour for dump truck, (xvii) from \$250.00 to \$438.00 per hour for dump truck w/tractor, (xviii) from \$250.00 to \$438.00 per hour for roll off container (40-yard) + disposal fee, (xix) from \$150.00 to \$263.00 per hour for light tower (two-light minimum), (xx) from \$200.00 to \$350.00 flat fee for pallet jacks, and (xxi) from \$200.00 to \$350.00 flat fee for rollers (off load). The Authority has determined that an increase of 75 percent to the existing regulation is warranted for certain extra heavy duty equipment, given recent market forces, except where rates would exceed analogous New Jersey State Police rates. Therefore, the following March 7, 2022 proposed rates covering equipment listed for extra heavy duty towing and recovery services at N.J.A.C. 19:9-3.1(a)(5) shall be increased as follows: (i) from \$438.00 to \$450.00 per hour for Landoll with tractor, (ii) from \$105.00 to \$113 per hour for light duty flatbed, (iii) from \$105.00 to \$113.00 per hour for light duty tow truck with wheel lift, (iv) from \$525.00 to \$450.00 per hour for relief refrigerated tractor trailer, (v) from \$350.00 per hour to \$250.00 per hour for tractor only, (vi) from \$438.00 to \$450.00 per hour for heavy duty flatbed, (vii) from \$438.00 to \$450.00 per hour for service truck, (viii) from \$438.00 to \$300 per hour for front end loader (two-yard minimum bucket), (ix) from \$438.00 to \$300.00 per hour for bob cat/skid steer, (x) from \$438.00 to \$300.00 per hour for fork lift (5,000 pounds minimum capacity), (xi) from \$438.00 to \$300.00 per hour for backhoe, (xii) from \$438.00 to \$350.00 per hour for dump truck, (xiii) from \$438.00 to \$350.00 per hour for dump truck w/ trailer, (xiv) from \$438.00 to \$350.00 per hour for roll off container (40-yard) + disposal fee, (xv) from \$263.00 to \$250.00 per hour for light tower (two-light minimum), (xvi) from \$350.00 to \$200.00 flat fee for pallet jacks, and (xvii) from \$350.00 to \$200.00 flat fee for rollers (off load). Additionally, Supervisor (Wreck Master) shall be increased from \$150.00 to \$162.00 per hour, Tech Labor (Driver, Rigger) shall be increased from \$100.00 to \$108.00 per hour, and Manual Labor shall be increased from \$75.00 to \$81.00 per hour.

The Authority's March 7, 2022 proposed rates at N.J.A.C. 19:9-3.1(b) provide a reduction in free storage for all vehicles from 24 hours to 12 hours, and an increase in storage rates for passenger vehicles from \$25.00 to \$40.00 per calendar day. The Authority has determined that an additional increase in storage rates is warranted, given recent market forces. Therefore, storage rates shall be increased (i) from \$40.00 to \$43.00 per calendar day for passenger vehicles, (ii) from \$75.00 to \$81.00 per calendar day for vehicles up to 15,000 pounds G.V.W.R., and (iii) from \$75.00 to \$81.00 per unit per calendar day for all vehicles, except buses, over 15,000 G.V.W.R.

The Authority's March 7, 2022 proposed rates at N.J.A.C. 19:9-3.2(a)(1), road service rates governing Class 1 vehicles on the New Jersey Turnpike, provide for an increase in the service charge from \$60.00 to \$75.00. The proposed rates at N.J.A.C. 19:9-3.2(a)(7) for tire repair/replacement services for trucks and buses on the New Jersey Turnpike, provide for an increase in the maximum service charge from \$125.00 to \$156.00, and an increase in the maximum labor rate from \$75.00 per hour to \$94.00 per hour. The proposed charge for an additional tire change on the New Jersey Turnpike provides for an increase from \$25.00 to \$31.00 for each tire change beyond the first tire change. The Authority has determined that an additional increase to these rates, averaging eight per cent (8%), is warranted, given recent market forces. Therefore, road service rates at N.J.A.C. 19:9-3.2(a)(1) governing Class 1 vehicles on the New Jersey Turnpike will increase from \$75.00 to \$81.00. The maximum service charge at N.J.A.C. 19:9-3.2(a)(7) for tire repair/replacement services for trucks and buses on the New Jersey Turnpike will increase from \$156.00 to \$168.00, and the maximum labor rate will increase from \$94.00 per hour to \$101.00 per hour. The charge for an additional tire change on the New Jersey Turnpike will increase from \$31.00 to \$33.50 for each tire change beyond the first tire change.

The Authority's March 7, 2022 proposed rates at N.J.A.C. 19:9-3.2(b)(1), road service rates governing Class 1 vehicles on the Garden State Parkway, provide for an increase in the service charge from \$60.00 to \$75.00, and proposed rates at N.J.A.C. 19:9-3.2(b)(7), tire repair/replacement services for trucks and buses on the Garden State Parkway, provide for an increase in the maximum service charge from \$125.00 to \$156.00, an increase in the maximum labor rate from \$75.00 per hour to \$94.00 per hour, and an increase in the charge for an additional tire change on the Garden State Parkway from \$25.00 to \$31.00 for each tire change beyond the first tire change. The Authority has determined that an additional increase to these rates, averaging eight per cent (8%), is warranted given recent market forces. Therefore, road service rates at N.J.A.C. 19:9-3.2(b)(1) governing the service charge for Class 1 vehicles on the Garden State Parkway, shall increase from \$75.00 to \$81.00; the maximum service charge for tire repair/replacement services at N.J.A.C. 19:9-3.2(b)(7), for trucks and buses on the Garden State Parkway, will increase from \$156.00 to \$168.00, and the maximum labor rate will increase from \$94.00 per hour to \$101.00 per hour. The charge for an additional tire change on the Garden State Parkway will increase from \$31.00 to \$33.50 for each tire change beyond the first tire change.

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The above-summarized changes are non-substantial and merely reflect upward adjustments to proposed increases. The changes do not enlarge or curtail who and what will be affected by the proposed rule, or otherwise affect in any way the scope of the proposed rule.

Federal Standards Statement

The adopted amendments to the regulations, as proposed and as changed herein, do not contain any standards or requirements that exceed the standards or requirements imposed by federal law because no federal standards or requirements apply to the adopted amended regulations.

Full text of the adoption follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks ***[thus]***):

SUBCHAPTER 3 FEES

19:9-3.1 Towing rates on the Turnpike and Parkway

(a) Towing rates charged by Authority-authorized companies on the Roadway shall not exceed the following rates or such rates as may be approved and amended by the Board from time to time in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules on agency rulemaking, N.J.A.C. 1:30:

1. Class 1 Vehicles (under 7,000 pounds G.V.W.R. (generally, "Passenger Vehicles,") for the purpose of towing rates only):

i. Service charge of \$*[108.00]* ****116.50*** plus:

(1) \$*[4.00]* ***4.25*** per mile on the Roadway, up to a maximum fee to tow the Vehicle to the Authority-authorized garage facility, including the service charge, of \$*[148.00]* ***159.00***; or

2. Other classes of vehicles (7,000 pounds and over G.V.W.R.):

i. Class 2 Vehicles (for the purpose of towing rates only, straight truck (up to **15,000** pounds G.V.W.R.), **Passenger Vehicle** with trailer, or trailer without Passenger Vehicle):

(1) Service charge of \$*[198.00]* ***214.00*** plus:

(A) \$*[4.50]* ***4.75*** per mile on the Roadway, up to a maximum, including the service charge, of \$*[243.00]* ***261.50***; or

ii. Class 3 Vehicles (for the purpose of towing rates only, tractor trailer, bus (over 15,000 pounds G.V.W.R.), or any Vehicle requiring the use of a Landoll tractor trailer:

(1) Service charge of \$*[375.00]* ****405.00*** plus \$*[5.75]* ****6.00*** per mile on the Roadway, up to a maximum, including the service charge, of \$*[432.50]* ****465.00***.

iii. Where applicable, the following additional fees may be charged for services to Class 2 or Class 3 [v]Vehicles:

(1) \$*[38.00]* ****41.00*** for connecting air lines and \$*[38.00]* ****41.00*** for connecting lights;

(2) \$*[68.00]* ****73.50*** for disconnecting drive shaft on all trucks;

(3) \$*[60.00]* ****65.00*** per axle for removing an axle; and

(4) \$*[68.00]* ****73.50*** for removing an air scoop.

3. Winching and wrecking (all classes of vehicles):

i. \$*[140.00]* ****151.00*** per hour for a light wrecker;

ii. \$*[228.00]* ****246.00*** per hour for a heavy wrecker; and

iii. Winching fees set forth [under] ***pursuant to*** this section shall only be charged for winching activities that occur when a Vehicle has left the Roadway, overturned, or become embedded, attached, or hitched to a tree, pole, guardrail, or other fixed object. Winching for purposes of this paragraph shall not include the act of pulling a Vehicle onto a tilt bed or carrier or lifting a Vehicle with a conventional tow sling.

4. Specialized equipment for routine towing services:

i. \$438.00 per hour for specialized equipment, including, but not limited to, Oshkosh box trailer with tractor; and

ii. \$788.00 per hour for Rotator 60-ton capacity and up, and for 50-ton construction crane.

5. Extra heavy duty towing and recovery services, which shall mean when used in this section, the immediate, coordinated, professional response by authorized extra heavy duty towing and recovery service contractors to incidents that have occurred on the Roadway, causing or having the potential to

cause serious and lengthy disruption to Roadway operations, specifically, the normal flow of traffic, as determined in the sole discretion of the Authority. These incidents include, but are not limited to, large overturned commercial vehicles such as trucks, buses or spillage of products that require the use of special heavy duty recovery equipment and expertise to resolve. Extra heavy duty towing and recovery service contractors must provide service under critical time restraints and work under severe pressure in an effort to return the Roadway to normal operating conditions. Recovery equipment must be operated in a team response and coordinated effort, providing the utmost safety and care in the actual operation, which will include, but not be limited to, winching, uprighting of overturned commercial vehicles, towing and expeditious removal of all Vehicles, as well as the expeditious removal of cargo and debris from the affected Roadway. The Authority-authorized extra heavy duty towing and recovery services contractor shall be solely responsible for the removal of all such Vehicles, cargo and debris.

i. Rates for the following extra heavy duty towing and recovery services, chargeable in one-half hour increments by Authority-authorized extra heavy duty towing and recovery services contractors, shall not exceed the following amounts:

Equipment:	
Heavy duty wreckers	\$438.00 per hour
Landoll w/tractor	*[438.00]**450.00* per hour
Relief box trailer	\$438.00 per hour
60-ton rotator	\$788.00 per hour
50-ton construction crane	\$788.00 per hour
Light duty flatbed	*[105.00]**113.00* per hour
Light duty tow truck with wheel lift	*[105.00]**113.00* per hour
Relief refrigerated tractor trailer	*[525.00]**450.00* per hour
Tractor only	*[350.00]**250.00* per hour
Heavy duty flatbed	*[438.00]**450.00* per hour
Service truck	*[438.00]**450.00* per hour
Front end loader (two-yard minimum bucket)	*[438.00]**300.00* per hour
Bob cat/skid steer	*[438.00]**300.00* per hour
Fork lift (5,000 pounds minimum capacity)	*[438.00]**300.00* per hour
Backhoe	*[438.00]**300.00* per hour
Dump truck	*[438.00]**350.00* per hour
Dump trailer w/tractor	*[438.00]**350.00* per hour
Roll off container (40-yard) + disposal fee	*[438.00]**350.00* per hour
Light tower (two-light minimum)	*[263.00]**250.00* per hour
Pallet jacks	*[350.00]**200.00* flat fee
Rollers (Off Load)	*[350.00]**200.00* flat fee
Labor:	
Supervisor (Wreck Master)	*[150.00]**162.00* per hour
Tech Labor (Driver, Rigger)	*[100.00]**108.00* per hour
Manual Labor	*[75.00]**81.00* per hour

(b) Storage rates charged by Authority-authorized companies [pursuant to contracts entered into after September 18, 2017,] shall not exceed the following rates or such rates as may be approved and amended by the Board from time to time in accordance [with P.L. 2003, c. 79 (N.J.S.A. 27:23-42.b(7)) or] with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules on agency rulemaking, N.J.A.C. 1:30:

1. Passenger Vehicles: First 12 hours free; \$*[40.00]****43.00*** per calendar day thereafter.
2. Vehicles up to 15,000 pounds G.V.W.R.: First 12 hours free; \$*[75.00]* ***81.00*** per calendar day thereafter.
3. Vehicles over 15,000 pounds G.V.W.R.:
 - i. All except buses: First 12 hours free; \$*[75.00]****81.00*** per unit per calendar day thereafter;
 - ii. Buses: First 12 hours free; \$ 150.00 per calendar day thereafter.

19:9-3.2 Road services rates on the Roadway

(a) Road service rates on the Turnpike for Class 1 Vehicles charged by Authority-authorized service companies shall conform with the following rates or such rates as may be approved and amended by the Board from time to time in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules on agency rulemaking, N.J.A.C. 1:30:

1. Road service charge: \$*[75.00]****81.00***;
2. through 6. No change.
7. Tire repair/replacement services for trucks and buses: The service charge to be charged by a contractor shall not exceed \$*[156.00]****168.00***. The maximum hourly labor rate shall not exceed \$*[94.00]****101.00*** per hour. The only charges that a contractor may charge a patron are: the service charge bid by the contractor; if applicable, the hourly labor rate bid by the contractor multiplied by the actual time spent by the contractor at the scene, beyond the initial one-half hour, in repairing/replacing tires and/or rims; if applicable, an additional tire service charge of \$*[31.00]****33.50*** for each additional tire change beyond the first tire change; and the retail price of any supplied tires or rims and any other related equipment supplied. No other charges are permitted. The terms "contractor," "service charge," "hourly labor rate" and "additional tire service charge" are defined terms that shall have the meanings set forth in the procurement documents issued by the Authority from time to time for tire repair/replacement services for trucks and buses.

(b) Road service rates on the Parkway for Class 1 Vehicles charged by Authority-authorized towing and emergency service providers shall conform with the following rates or such rates as may be approved and amended by the Board from time to time in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules on agency rulemaking, N.J.A.C. 1:30:

1. Road service charge: \$*[75.00]****81.00***;
2. through 6. No change.
7. Tire repair/replacement services for trucks and buses: The service charge to be charged by a contractor shall not exceed \$*[156.00]****168.00***. The maximum hourly labor rate shall not exceed \$*[94.00]****101.00*** per hour. The only charges that a contractor may charge a patron are: the service charge bid by the contractor; if applicable, the hourly labor rate bid by the contractor multiplied by the actual time spent by the contractor at the scene, beyond the initial one-half hour, in repairing/replacing tires and/or rims; if applicable, an additional tire service charge of \$*[31.00]****33.50*** for each additional tire change beyond the first tire change; and the retail price of any supplied tires or rims and any other related equipment supplied. No other charges are permitted. The terms "contractor," "service charge," "hourly labor rate" and "additional tire service charge" are defined terms that shall have the meanings set forth in the procurement documents issued by the Authority from time to time for tire repair/replacement services for trucks and buses.

On motion by Commissioner Minella and seconded by Commissioner Gravino the Board unanimously approved item numbers 110-06-2022 and 130-06-2022; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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Chair Comments

Chair Gutierrez-Scaccetti thanked the staff who worked so closely with the Towing Associations to make the amendments to the regulations happen, noting they are an important part of our operations and said she hopes that will continue.

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ROLL CALL

DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ-SCACCETTI
YES	YES	YES	YES	ABSENT	YES

Acting Chief Engineer Michael Garofalo requested approval of item numbers 111-06-2022 through 116-06-2022 and 118-06-2022 and 119-06-2022. Moved are the items as follows:

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PUBLIC BID SOLICITATIONS – AWARD OF CONTRACTS

111-06-2022

In a document dated June 9, 2022, Recommendation to Award Contract No. P200.578, Garden State Parkway, D’Annunzio & Sons, Inc., Garden State Parkway Service Area Ramp Widening, R-171832, Budget Code: 5000030001, Amount: \$27,997,000.00, was approved.

This contract will provide for improvements to twenty-three (23) Service Area ramps that provide access to and from nine (9) Service Areas along the Garden State Parkway which are Ocean View, Celia Cruz (formerly known as *Forked River*), Monmouth, Jon Bon Jovi (formerly known as *Cheesequake*), Colonia South, Colonia North, Brookdale South, Larry Doby (formerly known as *Brookdale North*), and Montvale. The contract work includes the lengthening of auxiliary lanes, increased shoulder widths, pavement resurfacing, roadway lighting upgrades, signing, striping and other ancillary work necessary and incidental to the completion of the project. All work is expected to be substantially completed by January 2024.

Five bid proposals were received on May 25, 2022 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$27,997,000.00, may be compared to the second low bidder in the amount of \$28,776,364.65. The bids were significantly lower than the Engineer’s Estimate in the amount of \$38,725,763.00 likely due to the recent volatility in the cost of labor and materials for items of work associated with asphalt removal and replacement. The low bidder, D’Annunzio & Sons, Inc. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.578 be awarded to the low bidder, D’Annunzio & Sons, Inc. of South Plainfield, New Jersey in the amount of \$27,997,000.00. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids for this work were

procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine 2006).

The General Consultant, HNTB Corporation, concurs with this recommendation.

112-06-2022

In a document dated June 7, 2022, **Recommendation to Award Contract No. T500.620, New Jersey Turnpike, HBC Company Inc., Turnpike Interchange 13, 15W and Northern Division Headquarters Generator Replacement, R-171834, Budget Code: 0390012003, Amount: \$2,506,980.00**, was approved.

This contract will provide for the replacement of existing diesel emergency generators at New Jersey Turnpike Interchange 13, Milepost 99.8, Northern Division Headquarters, Milepost 104.6, and Interchange 15W, Milepost W108. All work is expected to be substantially completed by May 2023.

Three bid proposals were received on May 27, 2022 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$2,506,980.00, may be compared to the Engineer's Estimate in the amount of \$2,459,480.00. The low bidder, HBC Company Inc. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T500.620 be awarded to the low bidder, HBC Company Inc. of Lodi, New Jersey in the amount of \$2,506,980.00. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine 2006).

The General Consultant, HNTB Corporation, concurs with this recommendation.

113-06-2022

In a document dated June 7, 2022, **Recommendation to Award Contract No. T200.637, New Jersey Turnpike, HBC Company Inc., Lighting Improvements and Standby Generator Replacement at Turnpike Interchange 17E, Milepost E112.8, R-171835, Budget Code: 5000040007, Amount: \$8,788,869.65**, was approved.

This contract will provide for the replacement of the existing diesel emergency generator at Turnpike Interchange 17E and installation of a new LED lighting system between New Jersey Turnpike Milepost E112.8 and E113.8. All work is expected to be substantially completed by June 2024.

Two bid proposals were received on June 1, 2022 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$8,788,869.65, may be compared to the second low bidder in the amount of \$11,818,000.00. The bids were significantly

higher than the Engineer's Estimate in the amount of \$6,733,594.28 likely due to inflation and fuel prices. The low bidder, HBC Company, Inc. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T200.637 be awarded to the low bidder, HBC Company, Inc. of Lodi, New Jersey in the amount of \$8,788,869.65. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine 2006).

The General Consultant, HNTB Corporation, concurs with this recommendation.

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ORDER FOR PROFESSIONAL SERVICES (OPS)

114-06-2022

In a document dated May 26, 2022, **Recommendation to Issue Order for Professional Services No. P3858, Garden State Parkway, Urban Engineers, Inc., Supervision of Construction Services for Contract No. P200.578, Garden State Parkway Service Area Ramp Widenings, R-171825, Budget Code: 5000030001, Amount: \$4,545,000.00**, was approved.

This Order for Professional Services will provide supervision of construction services for Contract No. P200.578, Garden State Parkway Service Area Ramp Widenings. These services include construction inspection, material testing, record keeping, preparation of payment estimates, and other services required to ensure compliance with the contract documents.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and fifty-six (56) engineering firms were prequalified and eligible under Profile Codes: B153, Roadway Construction Inspection and B154, Roadway Resurfacing Inspection. Six (6) firms submitted EOIs by the closing date of March 25, 2022.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking: 1) Urban Engineers, Inc.;

2) KS Engineers, P.C.; and 3) STV Incorporated. On May 4, 2022, Technical and sealed Fee Proposals were received from the top three firms. The Review Committee reviewed and evaluated each firm's Technical Proposals and it was determined that oral presentations would not be required. The final scoring resulted in Urban Engineers, Inc. being the highest technically ranked firm. The fee submitted by Urban Engineers, Inc. has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. P3858 be issued to the firm of Urban Engineers, Inc. of Cherry Hill, New Jersey, in an amount not to exceed \$4,545,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.5 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

115-06-2022

In a document dated June 7, 2022, **Recommendation to Issue Order for Professional Services No. A3902, New Jersey Turnpike and Garden State Parkway, Michael Baker International, Inc., supervision of Construction Services for Contract Nos.: T500.620, Generator Replacement at Interchange 13, Northern Division Headquarters and Interchange 15W, Budget Code: 0390012003, And, T200.637, Lighting Improvements and Standby Generator Replacement at Turnpike Interchange 17E, Milepost E112.8, Budget Code: 5000040007, And, A500.642, 2022 HVAC Upgrades at Various Locations, R-171826, Budget Code: 4000012002, Amount: \$2,680,000.00**, was approved.

This Order for Professional Services will provide supervision of construction services for Contract Nos. T200.620, Generator Replacement at Interchange 13, Northern Division Headquarters and Interchange 15W; T200.637, Lighting Improvements and Standby Generator Replacement at Turnpike Interchange 17E, Milepost E112.8; and A500.642, 2022 HVAC Upgrades at Various Locations. These services include construction inspection, record keeping, preparation of payment estimates and other services required to ensure compliance with the contract documents.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and thirty-seven (37) engineering firms were prequalified and eligible under Profile Codes: B151: Construction Management, B153: Roadway Construction Inspection, and B159: Building Construction and Renovations Inspection. Five (5) firms submitted EOIs by the closing date of April 18, 2022.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking: 1) Gannett Fleming, Inc.;

2) Michael Baker, Inc.; and 3) Greenman-Pedersen, Inc. On May 20, 2022, Technical and sealed Fee Proposals were received from the top three firms. The Review Committee reviewed and evaluated each firm's Technical Proposal and it was determined that oral presentations would not be required. The final scoring resulted in Michael Baker International, Inc. being the highest technically ranked firm. The

fee submitted by Michael Baker International, Inc. has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. A3902 be issued to the firm of Michael Baker International, Inc. of Hamilton, New Jersey, in an amount not to exceed \$2,680,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.47 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

116-06-2022

In a document dated June 6, 2022, **Recommendation to Issue Order for Professional Services No. A4037, New Jersey Turnpike and Garden State Parkway, Gannett Fleming, Inc., Supervision of Construction Services for Site Work at Service Areas on the New Jersey Turnpike and Garden State Parkway, Phases 4 and 5, R-171827, Budget Code: 39200018, Amount: \$1,960,000.00**, was approved.

This Order for Professional Services will provide supervision of construction services for site work at Service Areas on the New Jersey Turnpike and Garden State Parkway, Phases 4 and 5. These services include construction inspection, material testing, record keeping, preparation of payment estimates, and other services required to ensure compliance with the contract documents.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$2,000,000.00. The solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and thirty-nine (39) engineering firms were prequalified and eligible under Profile Codes: B151, Construction Management and B159, Building Construction & Renovations Inspection. One firm submitted an EOI by the closing date of May 2, 2022.

In accordance with the current procurement regulations, if fewer than three (3) EOI's are deemed complete, the EOI solicitation may be rewritten and/or re-solicited, or the procurement may continue with fewer than three firms, as determined by the Executive Director, in consultation with the Director." Authorization was granted to continue with the evaluation of the EOI received.

Subsequent to evaluating for completeness and scoring of the Expression of Interest, a Fee Proposal was requested from Gannett Fleming, Inc. The Fee Proposal has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. A4037 be issued to the firm of Gannett Fleming, Inc. of Piscataway, New Jersey, in an amount not to exceed \$1,960,000.00.

033869 This amount includes reimbursement of direct salaries times a maximum multiplier of 2.35 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

117-06-2022

Item Withdrawn

FINAL ACCEPTANCES

118-06-2022

In a document dated June 9, 2022, **All work performed on each of the construction contracts listed below have been completed in accordance with the contract documents and to the satisfaction of the Engineering Department. Accordingly, it is recommended that these contracts be deemed complete and approved for Final Acceptance. The table below lists each contract and includes pertinent Change Order and financial information including the final payment amount due the Contractor upon Final Acceptance,** was approved.

Contract No.	Contractor	Award Total Amount	No. of Change Orders	Additions/ Reductions	Final Total Contract Amount	Final Payment Amount
P100.519	Joseph M. Sanzari, Inc.	\$6,974,000.00	3	\$199,456.80	\$7,173,456.80	\$294,861.24
T100.321	J. Fletcher Creamer & Son, Inc. & Joseph M. Sanzari, Inc. A Joint Venture	\$88,875,642.80	8	\$1,826,525.87	\$90,702,168.67	\$197,696.07
Total						\$492,557.31

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultant and the Chief Engineer. All required contract documents including the Engineer's Final Certifications, Maintenance Bonds, Affidavit of Prevailing Wage and the Final Payment certificates have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Contractors have certified that there are no liens outstanding against the Contractors. Accordingly, it is recommended that each contract listed above be accepted and final payment in the amounts shown above be made to the Contractors.

ACKNOWLEDGE REPORTS OF
ENGINEERING EXPENDITURES UNDER DELEGATED AUTHORITY

119-06-2022

The Board acknowledges the reports of Engineering Expenditures Under Delegated Authority as indicated below:

- Construction Contract Progress Summary
- Change Order Summary
- Utility Order

On motion by Treasurer DuPont and seconded by Commissioner Gravino the Board unanimously approved item nos. 111-06-2022 through 116-06-2022 and 118-06-2022; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda. The Authority unanimously accepted the reports contained in item number 119-06-2022 and received same for file.

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ROLL CALL

DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ- SCACCETTI
YES	YES	YES	YES	ABSENT	YES

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PROCUREMENT AND MATERIALS MANAGEMENT ("PMM")

Director of Procurement and Materials Management Dale Barnfield, requested approval of item numbers 120-06-2022 through 125-06-2022. Moved are the items as follows:

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PUBLIC BIDS

120-06-2022

In a document dated June 10, 2022, **Tractors with Mowing Attachments, Storr Tractor Company, R-171376 (Operations), Budget Code: 049 00 500 156555 0490016003, Amount: \$1,073,343.00**, was approved.

Under this contract, Storr Tractor Company will supply twenty-one (21) 4-wheel drive articulating tractors with forward-facing wide area rotary mowers for use by the Maintenance Section of Operations in mowing operations. Bidders also bid on several functional (optional) attachments which included a dozer blade, actuated broom, drop spreader and snow blower. These tractors comply with national OSHA safety standards for use alongside Highways and have a slope rating of 30-degrees. This equipment is replacing older models that have reached their life expectancy and will be sold as surplus if feasible. The bid was fully advertised and the 21 vendors listed in the Authority's database for the referenced commodity were notified of the procurement. On June 7, 2022, two (2) bids were received as follows:

<u>Vendor</u>	<u>Total Bid Price</u>
Storr Tractor Company, Branchburg, NJ	\$ 1,073,343.00
Creston Hydraulics, Inc., Hamilton, NJ	\$ 1,079,343.00

Departmental Estimate: \$935,000.00

Bids were procured and authorization is being sought to award this contract in accordance with *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, *N.J.A.C. 19:9-2.2*, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award a contract to Storr Tractor Company for (21) 4-wheel drive tractors with rotary mowers for a total amount not to exceed \$1,073,343.00.

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STATE/GOVERNMENT CONTRACTS

121-06-2022

In a document dated June 10, 2022, **Mobile Column Vehicle Lift, Hoffman Services, Inc., R-171752, State Contract No. 22-FLEET-01984 expiring 4/14/2024, Budget Code: 049 00 500 156555 0490016007, Amount: \$ 289,355.00 (\$57,871.00 each)**, was approved.

Under this Contract, Hoffman Services, Inc. will provide the Authority with five (5) mobile 4-column battery powered wireless lifts with accessories. These 18,000lb capacity lifts are vital to the Authority's vehicle repairs and will replace inoperable units at various Maintenance Districts on both Roadways. These mobile lifts are available from NJ State Contract No. 22-FLEET-01984 with Stertil-Koni USA. Hoffman Services, Inc. is the exclusive authorized re-seller under this Contract.

This procurement, under State Contract No. 22-FLEET-01984, is in accordance with *N.J.A.C. 19:9-2.5(a)*, promulgated pursuant to *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award a contract under State Contract No. 22-FLEET-01984 for five (5) mobile lifts to Hoffman Services, Inc. for a total amount not to exceed \$289,355.00.

122-06-2022

In a document dated June 21, 2022, **Right-of-Way Management Platform, Insight Public Sector, Inc., R- 172160 (ITS), Budget Code: 010 00 830 427010, State Contract No. (T-2131) 20-TELE-01512, expiring 5/24/2026, Amount: \$1,142,282.10**, was approved.

Under this contract, BEM Systems, Inc. ("BEM") through partnership with Insight Public Sector, Inc., will configure and deploy the PAECETrak software platform. PAECETrak, developed by BEM, is a cataloguing system for the Authority's Right-of-Way ("ROW") acquisitions. This system is essential to the Long-Range Capital Improvement Program and a valuable tool for supporting the ROW acquisition process, as well as serving as a central file repository for documents created and utilized in managing

assets post construction. The term of this contract is for a period of six (6) years, which includes professional services related to configuration and deployment as well as licensing, maintenance, and support for the six-year term. This software solution is available from NJ State Contract No. 20-TELE-01512, expiring 5/24/2026.

This procurement, under State Contract No. 20-TELE-01512, is in accordance with *N.J.A.C. 19:9-2.5(a)*, promulgated pursuant to *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. Furthermore, the State Contract Index T-3121 provides access to several software providers and, therefore, requires agencies to seek multiple quotes to ensure the most competitive pricing. Quotes were solicited from four (4) software providers and one (1) quote was received as follows:

<u>Vendor</u>	<u>Total Price</u>
Insight Public Sector, Inc., Tempe, AZ	\$1,142,282.10

Accordingly, authorization is requested to award a contract under State Contract No. 20-TELE-01512 for configuration and deployment of the PAECETrak software platform to Insight Public Sector, Inc. for an amount not to exceed \$1,142,282.10.

123-06-2022

In a document dated June 10, 2022, Copier Lease and Maintenance, Ricoh USA, Inc., RM-172137 (ITS). Budget Code: Various, State Contract No. (T-2131) 40467 expiring 10/11/2022, Amount: \$680,000.00 (4-year contract), was approved.

Under this Contract, Ricoh USA, Inc. will provide multi-functional copier devices and services at facilities on both roadways. This leasing contract is for a total of 32 devices at a rate of \$12,520 per month (based on the current number of devices). The cost includes up to 360,280 black and white copies, and 25,000 color copies per month. Overages are quoted at a rate of \$.0052 for black and white copies, and \$.0405 for color copies. This contract also includes parts, labor, toner, staples, and training. The copier leasing and related services are available from NJ State Contract No. 40467 expiring 10/11/2022.

This procurement, under State Contract No. 40467, is in accordance with *N.J.A.C. 19:9-2.5(a)*, promulgated pursuant to *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award a four-year contract under State Contract No. 40467 for copier leasing and related services to Ricoh USA, Inc. for an amount not to exceed \$680,000.00.

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124-06-2022

In a document dated June 10, 2022, Mobile Data Computers, Chas S Winner, Inc., R-172302 (State Police), Budget Code: 049 00 720 156555 0490016006, State Contract No. 81165 expiring 07/01/2022, Amount: \$312,800.00 (\$6,256.00 each), was approved.

Under this contract, Chas S Winner, Inc. will provide 50 mobile data computers (“MDCs”) and accessories for the State Police (Troop D) 2022 vehicle fleet. These in-car computer systems are used in all State Police patrol vehicles. The vendor will supply MDC software and accessories that are compatible with the current New Jersey State Police MDC system. These in-car computer systems are available from NJ State Contract No. 81165 expiring 07/01/2022.

This procurement, under State Contract No. 81165, is in accordance with *N.J.A.C. 19:9-2.5(a)*, promulgated pursuant to *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award a contract under State Contract No. 81165 for 50 mobile data computers and accessories to Chas S Winner, Inc. for an amount not to exceed \$312,800.00.

125-06-2022

In a document dated June 10, 2022, State Contract Modifications, At prior Board of Commissioners meetings, the Authority approved purchases (up to a maximum authorized dollar amount) from the vendors listed herein under the New Jersey State contracts referenced below. The terms of the referenced State contracts have since been extended and additional funds are needed to purchase these necessary goods and/or services through the extended terms of the State contracts, was approved.

Description / Original Agenda Item – Award Date	Vendor Name	Requisition Number	NJTA Contract No.	NJ State Contract No. Expiration	Current Authorized Amount	New Authorized Amount	Requested Increase Amount
Goodyear Tires and Tubes / 260-10-2019	Edwards Tire Co., Inc.	RM-171953 (Inventory)	2848	20-FLEET-00948 expiring 03/31/2024	\$750,000.00	\$1,100,000.00	\$350,000.00
Goodyear Tires and Tubes / 260-10-2019	Barnwell House of Tires, Inc.	RM-171953 (Inventory)	2850	20-FLEET-00948 expiring 03/31/2024	\$750,000.00	\$1,100,000.00	\$350,000.00
Automotive Parts and Accessories for Light Duty Vehicles/ 04/25/2014	Samuels, Inc.	RM-171839 (Operations)	1995	85992 expiring 02/25/2023	\$95,000.00	\$145,000.00	\$50,000.00
Fencing Installation & Repair/ 357-08-2015	Consolidated Steel & Aluminum Fence Co., Inc.	RM-171993 (Operations)	2216	88680 expiring 10/31/2022	\$848,380.00	\$948,380.00	\$100,000.00
Total							\$850,000.00

The original procurements, under the State contracts, were in accordance with *N.J.A.C. 19:9-2.5(a)*, promulgated pursuant to *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, given that the period of time during which the Authority may make additional purchases under the referenced State Contract was extended through the new expiration dates of these contracts, approval is hereby requested to increase the Authority's current authorized amounts to the new authorized amounts stated above, subject to funding availability at the time of order.

On motion by Treasurer DuPont and seconded by Vice Chair Diaz the Board unanimously approved item numbers 120-06-2022 through 125-06-2022; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ROLL CALL

DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ- SCACCETTI
YES	YES	YES	YES	ABSENT	YES

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OPERATIONS

Director of Operations Kevin Dunn requested acceptance of item number 126-06-2022. Moved is the item as follows:

126-06-2022

Director of Operations Kevin Dunn requested acceptance of Volumes and Crash Synopses for the Garden State Parkway and New Jersey Turnpike: Period 01/01/2022 through 05/31/2022; with 2021-2022 Yearly Comparisons through May 2022, was approved.

On motion by Treasurer DuPont and seconded by Vice Chair Diaz the Board unanimously accepted item number 126-06-2022; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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STATE POLICE

Major Sheila McKaig-Devlin requested acceptance of item number 127-06-2022. Moved is the item as follows:

127-06-2022

Major Sheila McKaig-Devlin requested acceptance of the New Jersey State Police Troop D Activity Reports for May 2022, with 2021– 2022 Yearly Comparisons.

On motion by Commissioner Gravino and seconded by Treasurer DuPont the Board unanimously accepted the reports contained in item number 127-06-2022 and received same for file.

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FINANCE

Chief Financial Officer Donna Manuelli requested acceptance of item number 128-06-2022.
Moved is the item as follows:

128-06-2022

Chief Financial Officer Donna Manuelli presented the Financial Summary for the Five (5) months ended May 31, 2022, was accepted.

On motion by Treasurer DuPont and seconded by Vice Chair Diaz the Board unanimously accepted item number 128-06-2022; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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Executive

Executive Director John Keller by (tele-conference) requested approval of item number 129-06-2022. Moved is the item as follows:

129-06-2022

In a memorandum dated June 20, 2022, Authorization to Enter into Agreements with the New York Jets, New Jersey Devils and Rutgers University for E-ZPass and Safety Messaging Advertising, was approved.

This agenda item is a request to enter into three separate agreements for E-ZPass advertising and Safety Messaging at NY Jets, LLC, New Jersey Devils and Rutgers University sporting events for the 2022 and 2023 seasons. This initiative will advertise and promote the NJ E-ZPass concept as an easier and more efficient means of travel throughout the New Jersey area including various messages promoting safe travel.

The professional football event advertising package will consist of outside and inside stadium advertising for all 2022 pre-season and regular season home games. Specifically, advertising messages around the perimeter of the stadium, on over 2000 video monitors in and around the inside of the facility and radio spots throughout each event. Additionally, an E-ZPass Promotional Day will be scheduled to include on site interaction with patrons to further explain and promote the advantages of the E-ZPass concept. The cost for this advertising package is \$120,000.

The Rutgers University advertising package will consist of promotions for the 2022 football season and the 2022-2023 Rutgers wrestling and men's and woman's basketball seasons. Specifically, advertising will consist of video board exposure, radio initiatives and social media promotions. Additionally, an E-ZPass Promotional Day will be scheduled to further endorse the E-ZPass concept. The total cost for this project is \$120,000.

The New Jersey Devils agreement will include advertising promotions at all Devils home games and other major Prudential Center events. Specifically, exterior LED messaging, digital concourse messaging, concourse E-ZPass activations, in-game features and fan interaction and radio initiatives. The total cost for this project is \$120,000.

Accordingly, approval of these agreements is respectfully requested in the total amount of \$360,000. It is further recommended that the Commissioners authorize the Executive Director to execute all documents relative thereto.

On motion by Treasurer DuPont and seconded by Commissioner Minella the Board unanimously approved item number 129-06-2022; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ROLL CALL

DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ- SCACCETTI
YES	YES	YES	YES	ABSENT	YES

Deputy Executive Director James Carone requested approval of item number 131-06-2022.
Moved is the item as follows:

130-06-2022

Item is under Law

131-06-2022

In a memorandum dated June 27, 2022, **Authorization to Approve a Two Percent (2%) across the board increase for certain non-aligned employees effective July 1, 2022**, was approved.

The Authority is seeking authorization to approve salary increases for certain non-aligned NJTA employees effective July 1, 2022. In September 2021, the NJTA Board of Commissioners authorized a 2% salary increase for non-aligned employees which, at the time, excluded thirteen (13) Directors. Prior to this Board action, the last salary adjustment for these Directors was approved and implemented in 2018. At this time, a 2% salary increase is requested effective July 1, 2022, retroactive to January 1, 2022 at a total cost of approximately \$72,400.

Additionally, twenty-one (21) remaining non-aligned employees who received a 2% increase effective July 1, 2021, would also qualify for an increase effective July 1, 2022. The cost for these employees is approximately \$48,500 for an overall total cost of \$120,900. These salary increases have been budgeted in the 2022 NJTA Operating Budget. It is recommended all future increases for non-aligned personnel follow the authorized compensation for AFSCME Local 3914.

Therefore, authorization is requested to approve a two percent (2%) across the board salary increase effective July 1, 2022 to certain non-aligned employees as outlined above.

On motion by Treasurer DuPont and seconded by Commissioner Minella the Board unanimously approved item number 131-06-2022; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

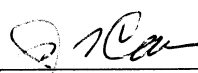
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ROLL CALL					
DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ-SCACCETTI
YES	YES	YES	YES	ABSENT	YES
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The motion to adjourn was made by Treasurer DuPont and seconded by Commissioner Gravino, and, after the voice vote, the motion was duly adopted. The Board of Commissioners adjourned the meeting at 10:42 a.m. and advised that the next meeting will be held on Tuesday, July 26, 2022, at 9:00 a.m., in person, with optional telephonic public call in (check the website NJTA.com to get call-in information), at the Authority's headquarters building located at 1 Turnpike Plaza in Woodbridge, New Jersey.



Kim Schurman
Secretary to the Authority



James D. Carone
Deputy Executive Director

Date: June 28, 2022