

Jon S. Corzine  
Governor

Stephen Dilts  
Board Chairman

Richard R. Sarles  
Executive Director

**N TRANSIT**  
One Penn Plaza East  
Newark, New Jersey 07105-2248  
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February 13, 2009

Dear Governor Corzine:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the regularly scheduled meetings of the New Jersey Transit Corporation, NJ Transit Rail Operations, Inc., NJ Transit Bus Operations, Inc., and NJ Transit Mercer, Inc. Board of Directors held on Wednesday, February 11, 2009.

I certify that the open session minutes are true and correct.

Sincerely,

A handwritten signature in black ink, appearing to read "Gwen Watson", with a stylized, flowing cursive script.

Gwen A. Watson  
Board Secretary

Enclosures

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

Minutes of the actions taken at the Open Session of the regularly scheduled Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, February 11, 2009.

**Present:**

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

Richard R. Sarles, Executive Director  
Gwen A. Watson, Board Secretary  
H. Charles Wedel, Chief Financial Officer & Treasurer  
Lynn Bowersox, Assistant Executive Director, Communications & Customer Service  
James Gigantino, Vice President & General Manager, Bus Operations  
William Duggan, Vice President & General Manager, Rail Operations  
Steve Santoro, Assistant Executive Director, Capital Planning and Programs  
Jan Walden, Assistant Executive Director, Diversity  
Warren A. Hersh, Auditor General  
Mala Narayanan, Deputy Attorney General

Acting Chairman Kenneth E. Pringle convened the Open Session at 9:14 a.m. in accordance with the Open Public Meetings Act and asked for a motion to enter Executive Session to discuss contract negotiations and attorney-client, litigation and personnel matters. A motion was made by Flora Castillo, seconded by Susan L. Hayes and unanimously adopted.

Acting Chairman Kenneth E. Pringle reconvened the Open Session at 9:45 a.m. and asked for a motion to adopt the minutes of the December 10, 2008 meeting. A motion was made by Flora Castillo and seconded by Susan L. Hayes.

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

Executive Director Sarles welcomed everyone to the first meeting of what promises to be a productive year at NJ TRANSIT as projects move forward that improve and increase service for bus, light rail and rail customers.

**Mass Transit Tunnel**

The Federal Transit Administration issued a Record of Decision approving the Final Environmental Impact Statement of the Access to the Region's Core Mass Transit Tunnel project, as well as cleared the project into final design. These major milestones lead to federal funding and construction. NJ TRANSIT is on track to start building the Mass Transit Tunnel soon and generating 6,000 new jobs during construction and another 44,000 permanent jobs afterward, and bringing long-term benefits to New Jersey commuters, the economy and the environment for centuries ahead. The Board

will consider agenda items involving agreements that will allow the tunnel to continue to advance this year.

### **Amtrak Memorandum of Understanding**

Executive Director Sarles said authorization is requested to approve the Memorandum of Understanding with Amtrak. While this agreement mostly focuses on inter-agency cooperation during construction, it also addresses larger issues facing NJ TRANSIT as joint users of the Northeast Corridor, which has reached capacity into and out of Penn Station New York. The Access to the Region's Core will benefit commuters by doubling peak-period capacity from 23 trains per hour to 48 and make direct rides available to customers on all or parts of nine rail lines that currently require a transfer to or from New York. Specifically, after Access to the Region's Core is built and capacity is doubled, NJ TRANSIT will make more capacity available for Amtrak service in New York Penn Station. Executive Director Sarles thanked the negotiating team, Lynn Bowersox, Bill Duggan, Rich Roberts and Amit Bose.

### **Port Authority of New York & New Jersey Project Agreement**

Executive Director Sarles said the Board will consider the General Project Agreement with the Port Authority of New York & New Jersey which NJ TRANSIT has partnered with for more than a decade. It establishes the framework to continue a productive relationship through construction. Collectively, these agreements demonstrate inter-agency cooperation for the greater good and he deeply appreciates their participation. Executive Director Sarles recognized Steve Santoro and the Capital Planning Group, as well as Art Silber and the entire Tunnel organization for their Herculean efforts toward advancing this project into shovel-ready status.

### **Planning Group Team for the Mass Transit Tunnel**

Executive Director Sarles introduced the planning group team for the Mass Transit Tunnel project as noted on the attached list and thanked the group of talented professionals.

### **Innovation Stipends**

Executive Director Sarles said NJ TRANSIT is approaching the stage of seeking bids on major tunnel construction contracts and proposing innovative tactics to stimulate competition and encourage small and disadvantaged business participation. He said preparing technical bid documents for major design/build contracts is an expensive undertaking, and it has become industry best-practice to offer a stipend. It promotes participation of highly qualified firms that have to consider very carefully the high costs of putting a proposal together. With the Board's approval, NJ TRANSIT will provide a stipend to firms to help cover the costs of preparing bids. This tactic of providing "Innovation Stipends" is approved by Federal Transit Administration for design-build contracts and would be paid to firms that submit unsuccessful bids. Providing an incentive for bids enhances the quality of proposals and competition and maximizes opportunity for NJ TRANSIT cost-savings. In addition to benefits of competition and

participation, innovation stipends ensure NJ TRANSIT's ability to use all design concepts and ideas contained in unsuccessful proposals, giving benefit to incorporate good ideas.

### **Atlantic City Express Service**

Executive Director Sarles said with the launch of the Atlantic City Express Service last Friday, visitors from New York and New Jersey have a comfortable new way to Atlantic City for all that the destination offers. NJ TRANSIT has worked cooperatively with a consortium of Atlantic City casinos – The Borgata, Harrah's and Caesars – during the planning phase of their service and was pleased to see the inaugural trips went well. Eighteen trains operate each weekend, Friday through Sunday, with a stop at Newark Penn Station for the convenience of northern New Jersey residents. The Atlantic City Express Service purchased and customized eight of the popular double-decker cars for its service. NJ TRANSIT's role is contract operator.

### **Group Sales**

On the Customer Service front, Executive Director Sarles was pleased to announce a new feature of njtransit.com that enables customers to book group trips online. This continues a series of incremental web improvements that began several years ago when NJ TRANSIT automated the lost & found process and gave customers the ability to "contact NJ TRANSIT" through the website. Prior to new group sales functionality, customers looking to arrange group travel could only do so by phone, a process that sometimes resulted in voicemails and phone tag. Starting today, anyone who wants to book a group trip, school groups, employers, or organizations can visit the website and contact NJ TRANSIT at any hour from the convenience of a computer. It is hoped that by making this process simpler and more convenient; NJ TRANSIT will encourage groups to make NJ TRANSIT the preferred travel choice.

### **Board Members**

Executive Director Sarles congratulated Mike Shevell and Flora Castillo on their re-appointments to the Board and Susan Hayes on her renomination. Each brings in-depth experience on a broad range of issues important to the organization and customers.

### **Farewells**

Executive Director Sarles said goodbye to two respected colleagues who have helped develop NJ TRANSIT from its earliest days. Jan Walden, Assistant Executive Director, Diversity Programs began her career at NJ TRANSIT 27 years ago. Ms. Walden's dedication to the principles of equality and inclusion has helped countless small, minority and women-owned businesses participate in building NJ TRANSIT into the largest statewide transit agency in the nation.

Executive Director Sarles said Jim Redeker, Vice President of Technology Services, began his career at NJ TRANSIT 31 years ago. Mr. Redeker has been at NJ TRANSIT

since it was created in 1979, ably taking on increasing various responsibilities over the years, developing fare policy, customer service, federal grants administration and shepherding the agency through advancements in communications and information technology. He has been a key voice in policy development for a generation. The Connecticut Department of Transportation made a wise choice in offering Mr. Redeker the opportunity to lead its Bureau of Public Transportation.

Board Member Castillo personally thanked Jan Walden and Jim Redeker for their long standing service and has appreciated their support during the years. She wished Mr. Redeker good luck and said NJ TRANSIT's loss is Connecticut's gain. Ms. Castillo said Ms. Walden's passion and presence will be greatly missed.

Board Member Hayes said this is a bittersweet time for NJ TRANSIT and wished Jan Walden and Jim Redeker all the best and said they will be sorely missed.

Acting Chairman Pringle echoed the Board Member's comments and said Jan Walden and Jim Redeker earned the respect of their colleagues.

Executive Director Sarles said the Board and staff join him in wishing Jan Walden and Jim Redeker all the best in their new endeavors.

Executive Director Sarles recognized Al Cafiero who celebrated his 87<sup>th</sup> birthday recently.

### **Advisory Committee**

Suzanne Mack presented the Advisory Committee report. Ms. Mack congratulated the Mass Transit Tunnel Team for their good work and also thanked the entire behind-the-scenes staff that work on this project. Ms. Mack expressed best wishes to Jim Redeker and Jan Walden for their work over the years. She said the joint North and South Jersey Advisory Committees held a meeting at the Trenton Transit Center. The South Jersey Advisory Committee was interested in the new Atlantic City train service and the synergy of that project. Ms. Mack noted that the grants program is a major item on the Board agenda because it is funded by casino revenue funds and it is a vitally important project. She said there are wonderful staff in Access Link and the rural access, jobs access and reverse commute programs. Ms. Mack expressed happy birthday wishes to Al Cafiero who is one of the strongest advocates for transit.

Board Member Susan L. Hayes presented the Capital Planning, Policy & Privatization Committee report to the Board. At this month's meeting, the Committee discussed the elements of the new express bus service along Bloomfield Avenue to Newark Airport, three items relative to the Access to the Region's Core Tunnel as the project quickly moves into final design, and had several presentations by Vice President & General Manager Bill Duggan, one of them regarding a new Rail Equipment Maintenance Strategy through a technical training program for mechanical employees, a cross-functional team to implement the strategy and a reliability manager to measure progress.

Board Member Flora Castillo presented the Administration Committee report to the Board. The Administration Committee discussed grant programs supporting transportation services that benefit senior citizens, persons with disabilities, rural and small urban area residents and economically disadvantaged persons. This budget of \$56 million provides non-emergency life-enhancing transportation. Also discussed were three items relative to the Access to the Region's Core Tunnel as the project moves quickly into final design.

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

William Wright commented on the three Access to the Region's Core agenda items. He said these items must be acted upon favorably for several important reasons. First, it has always been good for the region and present energy and mobility issues make this even more vital. Second, the plan works well with the geography and geology of New York's Midtown area which has seen growth west from Sixth Avenue and west and south of Penn Station. Third, the project is "shovel ready" and in line with stimulus funds. Mr. Wright said it is the only workable plan given the realities of Midtown.

Mr. Wright said those who object ignore all of the above reasons as well as add additional bogus concerns. Mr. Wright is appalled that some of the objections come from the alleged railfan community who all should know better. Without detailing how they are wrong, Mr. Wright has marked out of both the National and New Jersey Associations of Railroad Passengers as they have completely lost their way on this vital mobility project.

Malcolm Dunn thanked the Board on behalf of the minority business community for the recent solicitation on the brokerage insurance package. He said the first meeting only involved two minority firms but the second meeting involved about a dozen minority firms as a result of the outreach effort. He was pleased that the disadvantaged business enterprise goals were increased from five percent to 20 percent. He said this would not have been accomplished without encouraging the primes. Mr. Dunn said the nation elected the first African American President who encourages supporting small businesses and New Jersey has the opportunity to lead in this small business enterprise. A credible organization ranked New Jersey last in encouraging small businesses to prosper and that ranking should change. Mr. Dunn said it is a great accomplishment that the Board and Executive Director Sarles encouraged new and innovative increased solicitation of small businesses especially with the Mass Transit Tunnel project.

George Haikalis urged the Board to reject the three Access to the Region's Core agenda items. He said the Institute for Rational Urban Mobility (IRUM) is a New York City based not-for-profit corporation concerned with reducing traffic congestion and improving the livability of dense urban areas. IRUM urges the Board to reject approval of the three agenda items relating to the Mass Transit Tunnel project. They strongly oppose the deep cavern dead-end terminal 175 feet below 34<sup>th</sup> Street which would add four to five minutes of travel time per trip in each direction. Instead IRUM supports construction of a simple connection from the new tunnels directly into existing tracks

and platforms at Penn Station. This connection would cost \$3 billion less to construct than the current plan and could be completed perhaps four to five years sooner.

IRUM calls for advancing a direct track connection between Penn Station and Grand Central Terminal. It was called Alternative G during the Major Investment Study (MIS) phase of the planning effort. The MIS summary report found that, when compared with the deep cavern option, the Penn Station – Grand Central plan would cost less to build and to operate, would attract more passengers and divert more motorists. The full MIS report has been hidden from the public and should be released immediately.

Mr. Haikalis said for this plan to work, the Metropolitan Transportation Authority (MTA) and NJ TRANSIT would have to cooperate on thru service. This cooperation can begin in the very near term if the two agencies would advance a plan for thru-running at Penn Station.

For NJ TRANSIT to “go it alone” on a separate, disconnected deep cavern terminal severely hurts NJ TRANSIT passengers and taxpayers. It also undermines New York’s plan to rebuild the Moynihan/Penn Station building into an important civic space. NJ TRANSIT’s plan makes it more difficult to travel between the two states by public transit, assuring growing congestion and pollution on the crowded highway crossings of the Hudson River.

It is not too late to advance a more sensible plan beginning with the expedited construction of a direct track connection to Penn Station, which was carefully studied in the February 2007 Draft Environmental Impact Study. Contrary to claims by NJ TRANSIT, this connection is not disruptive as it passes through vacant industrial land in the west Midtown area and was, in fact, approved by the two Manhattan Community Boards directly affected. It is time for NJ TRANSIT to begin construction of the connection and give up on its costly and passenger-unfriendly deep cavern station.

David Peter Alan said he is the second Vice-Chair of the Senior Citizens and Disabled Residents Transportation Advisory Committee. He requested the opportunity to present a statement on the Casino Revenue Fund and other grants for transportation for senior citizens, persons with disabilities and other disadvantaged persons during the “Advisory Committee Reports” section of the agenda. Since that request was not granted, Mr. Alan, in his personal capacity, said these grants are absolutely vital to the continued provision of transportation to the people who need it the most. It is essential that these grants be implemented.

Mr. Alan on behalf of the Lackawanna Coalition, along with the New Jersey Association of Railroad Passengers and other representatives of the riding community have consistently expressed concerns about the Access to the Region’s Core project as currently planned. Mr. Alan said they express concern about the proposed agreement with the Port Authority since they believe the Port Authority is the party that has kept the Major Investment Study of 2003 secret and keeping the general public from knowing why the choices that gave rise to the present negative features of the project were made.

Mr. Alan also expressed concern about the item that would give “stipends” to contractors who become the losers in the competition to design the proposed tunnel. He said this is a waste of millions of dollars. If the money is to be awarded to the losers of the project, it should be awarded to the taxpayers of New Jersey and the riders on the Morris & Essex Lines and other rail lines who will lose access to the existing Penn Station.

Mr. Alan expressed concern about the proposed Memorandum of Agreement with Amtrak. The relationship between Amtrak and NJ TRANSIT on this issue may appear amicable, but its real features are adversarial and the rail riders will be the losers. He said on April 28, 2008, Amtrak President Alex Kummant expressed concern that the proposed tunnel and said the money spent to build it would produce no benefit for Amtrak. Instead, it would sacrifice security, operational redundancy and flexibility that joint use of the tunnel would provide. Mr. Alan submitted a copy of Mr. Kummant’s letter as an exhibit.

Mr. Alan said the National Association of Railroad Passengers’ position is that any new tunnel into Manhattan must go to the existing Penn Station as originally planned and Mr. Alan and his colleagues agree. Any capacity expansion into Penn Station, for Amtrak or NJ TRANSIT, must be facilitated in an economical and efficient manner. A separate deep-cavern terminal as currently proposed is beyond the financial means of the State of New Jersey, even with the help from the Federal Transit Administration and the Port Authority. Even if such a project were to be built, it is highly unlikely that money could eventually be found for the separate capacity expansion that Amtrak will eventually need. Mr. Alan urged the Board to put aside this proposed agreement and prevent an adversarial situation that could develop later.

James T. Raleigh said has provided previous comments to the Board on this subject and continues to do so. He said it is against the Sunshine Laws for the Board to go into executive session and arrive at a consent agenda. Mr. Raleigh commented on the Penn Station New York 31<sup>st</sup> Street entrance agenda item and asked when that access would be finished. Mr. Santoro replied that it will be finished this summer.

Mr. Raleigh also commented on the press event regarding the Atlantic City Express Service. He said the public relations organization for this event was poor. The Press had a hard time finding paying passengers and the crew did not understand transfers. He hopes this subsidized service makes money. Acting Chairman Pringle said no subsidy is provided and the service, car design and press event were done by the casinos.

Tom Collins thanked the Board and Jan Walden for allowing him to attend this meeting. He commended the Board for a good job of disadvantaged business enterprise goal of 20 percent participation. He said he is an insurance disadvantaged business enterprise and is very pleased on the inclusion of the project and looks forward to working with NJ TRANSIT. He said the minority and business communities are encouraged and excited and appreciative of these efforts.

Charles Jones of the Black Chamber of Commerce said he echoed Mr. Dunn's comments and hopes the practice of increasing goals from five to 20 percent continues for all projects. He said this is not a black issue; it is a green issue and said small businesses can do the projects.

Rose Heck clarified that she is not speaking on behalf of the New Jersey Association of Railroad Passengers but on behalf of some of the members. She congratulated NJ TRANSIT on the Record of Decision on the Mass Transit Tunnel project. Ms. Heck asked if New York City or New York State is providing any money towards the Access to the Region's Core project. She said service is provided both ways and monies should be committed.

Executive Director Sarles replied that \$3 billion is being provided by the Port Authority, one and one quarter million from the Turnpike and the remaining is highway and flexible funds. With respect to the Port Authority and Turnpike, about 40 percent of the people pay tolls and are New York residents. The Port Authority is collecting money from those New Yorkers. Three-quarters of those people end up on the Turnpike or the Parkway but beyond that, New York has a few other big projects such as East Side Access, the #7 Line and others. Executive Director Sarles said if New Jersey stood in line waiting for New York to contribute to New Jersey, we would not be here today going to construction next year.

Acting Chairman Pringle said Executive Director Sarles is correct and said if the roles were reversed New Jersey would not provide money either. He appreciates the sense of fairness and said New York's position makes sense and New Jersey's position makes sense.

Executive Director Sarles presented the following Action Items for approval:

**0902-1: BLOOMFIELD AVENUE EXPRESS-BUS SERVICE SHELTERS, SIGNS AND LIGHTING: CONSTRUCTION CONTRACT AWARD**

Last year, the Go Bus service began on Springfield Avenue from Irvington to Newark with new, colorful branding for the buses, easily recognized shelters and express-stops. It has been a great success and authorization is requested to take steps toward another similar service, this one on Bloomfield Avenue between the Bloomfield Rail Station and Newark Liberty International Airport. NJ TRANSIT will install new shelters, signs and lighting at select bus stops with easily recognizable equipment. Authorization is requested to approve a contract with MetroClean Express Corporation to construct the new shelters, signs, lighting and other site improvements on this route at a cost not to exceed \$1,291,779 plus five percent for contingencies. Service will begin in the fall of this year.

Flora Castillo moved the resolution, Patrick O'Connor seconded it and it was unanimously adopted.

**0902-2: ACCESS TO THE REGION’S CORE: NJ TRANSIT / THE PORT AUTHORITY OF NEW YORK & NEW JERSEY GENERAL PROJECT AGREEMENT**

The Access to the Region’s Core Tunnel project is rapidly moving into final design. Approval is requested to execute a General Project Agreement with the Port Authority of New York & New Jersey. The two agencies have worked informally through preliminary engineering and this Agreement sets the framework to continue that relationship. The Agreement requires NJ TRANSIT to purchase property on the New Jersey side and the Port Authority of New York & New Jersey to purchase all New York property. It sets forth monetary obligations of both agencies, provides for a 99 year rent free lease by the Port Authority to NJ TRANSIT, renewable for four 99 year terms allowing us to operate the tunnel facilities and railroad system in New York. NJ TRANSIT will acquire the facilities in New Jersey. It provides that NJ TRANSIT will continue to serve as the lead agency and the federal sponsor of the project and, most importantly, formalizes the Port Authority’s commitment of \$3 billion to partially fund the project.

James A. Carey moved the resolution, Susan L. Hayes seconded it and it was unanimously adopted.

**0902-3: ACCESS TO THE REGION’S CORE: MEMORANDUM OF AGREEMENT BETWEEN NJ TRANSIT / NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)**

Amtrak controls the Northeast Corridor and NJ TRANSIT has worked very closely with Amtrak during the preliminary engineering phase of the Access to the Region’s Core project. Now that NJ TRANSIT is moving into final design, it is prudent to formalize that work through a Memorandum of Agreement which lays out the commitments from each agency. A renewable \$1 million escrow account will be created, which will not exceed \$5 million without further Board action, to cover environmental remediation costs, it allows NJ TRANSIT to acquire construction and operating easements, provides for Amtrak to expand capacity at Penn Station New York after the completion of Access to the Region’s Core project and includes payment by NJ TRANSIT of Amtrak’s administrative fees associated with property transfers. Authorization is requested to execute this agreement with Amtrak.

Flora Castillo moved the resolution, Patrick O’Connor seconded it and it was unanimously adopted.

**0902-4 ACCESS TO THE REGION'S CORE: PROPOSAL STIPENDS FOR THREE DESIGN/BUILD TUNNEL CONTRACTS**

NJ TRANSIT will soon begin a three step procurement process to obtain design/build proposals for three separate tunnel contracts for the Access to the Region's Core project. The cost of preparing major design/build proposals is significant and those costs may force some highly qualified firms to selectively choose projects for which they will compete, dampening competition. Importantly, small and disadvantaged business may lack the resources to compete for these contracts. For years now, best practice in the design/build industry is to provide proposal stipends to help offset a portion of proposal development costs. Authorization is requested to pay a proposal stipend for each unsuccessful proposer that has completed all three steps of the procurement process. The stipend would depend on the size, complexity and availability of contractors. Assuming two unsuccessful proposers for each of the three contracts, the total stipends associated with this process would not exceed \$2.25 million. The successful proposer would receive no stipend. Another major benefit of this approach is that NJ TRANSIT will own all of the proposers' ideas and design concepts contained in the unsuccessful proposals.

Acting Chairman Pringle said the stipend process allows small businesses to participate and it is invaluable to have and own the other proposals. It will provide alternatives to design solutions. He commended management for this suggestion.

Patrick O'Connor moved the resolution, Susan L. Hayes seconded it and it was unanimously adopted.

**0902-5 NJ TRANSIT GRANT PROGRAMS SUPPORTING COORDINATED LOCAL TRANSPORTATION FOR SENIOR CITIZENS, PERSONS WITH DISABILITIES, RURAL AND ECONOMICALLY DISADVANTAGED RESIDENTS**

Authorization is requested to execute all contracts and agreements to implement the NJ TRANSIT Grant Programs Supporting Coordinated Local Transportation for Senior Citizens, Persons with Disabilities, Rural and Economically Disadvantaged Residents at a cost not to exceed \$56,212,467.

Flora Castillo moved the resolution, Patrick O'Connor seconded it and it was unanimously adopted.

Executive Director Sarles presented the following Consent Items for approval:

**0902-6 PENN STATION NEW YORK 31<sup>ST</sup> STREET ENTRANCE: AMENDMENT TO CONSTRUCTION MANAGEMENT CONTRACT**

Authorization to amend the contract (No. 06-063C) with Bovis Lend Lease LMB, Inc. (formerly Bovis Lend Lease) of New York, New York, for construction management services in the amount of \$230,085, for a total contract task authorization of \$730,085, subject to the availability of funds.

**0902-7 NEWARK BROAD STREET STATION ADA AND CAPACITY IMPROVEMENTS: AMENDMENT TO CONSTRUCTION CONTRACT**

Authorization to amend the construction contract (No. 04-089) with Conti Enterprises, Inc., of South Plainfield, New Jersey, for completion of the construction of ADA accessibility and capacity improvements at Newark Broad Street Station currently underway at a cost not to exceed \$475,000, for a total contract authorization of \$53,848,700, subject to the availability of funds.

**0902-8 SELECTION OF SPECIAL COUNSEL**

Authorization to continue to compensate Decotiis, Fitzpatrick, Cole & Wisler as Special Counsel with respect to the Hoboken Terminal development at an amount not to exceed \$75,000, for a six month term.

Susan L. Hayes recused herself from voting on Consent Calendar Item No. 0902-6. Flora Castillo moved the resolution, James A. Carey seconded it and it was adopted.

Consent Calendar Item Nos. 0902-7 and 0902-8 were moved by Patrick O'Connor, seconded by Flora Castillo and unanimously adopted.

There were eight public comments on non-agenda items.

Malcolm Dunn commented on behalf of the minority community. Mr. Dunn met Jan Walden 27 years ago at an advisory committee in Trenton and she was a member of Senator Wynona Lipman's Saturday meetings. Mr. Dunn said she was a soldier first and then a Diversity Officer at NJ TRANSIT. She was a reliable source of encouragement to the disadvantaged business enterprise community. Mr. Dunn said her performance should be a benchmark for her successor and hopes that a direct reporting relationship to the Executive Director will continue. Mr. Dunn wished Ms. Walden Godspeed in the future. Executive Director Sarles replied that he has no intention of changing the reporting relationship.

George Haikalis commented on interstate cooperation. He said Ms. Heck made a good point on the Mass Transit Tunnel project. Mr. Haikalis said he worked with the Tri-State Committee 46 years ago. Today there is no regional agency or planning and everyone's pays dearly. He said the deep cavern tunnel epitomizes the lack of

cooperation. NJ TRANSIT has its fare structure and the Metropolitan Transit Authority has a different fare structure and there is no sense, rhyme or reason. Timetables are different and nothing is congruent. Mr. Haikalis said this region cannot function any longer with the lack of cooperation. It is a regional catastrophe. He said there has to be federal intervention and a collaborative plan.

David Peter Alan said for several years, the Lackawanna Coalition has left copies of the Railgram newsletter at stations on the Morris & Essex Lines for customers. Since the last Board meeting, permission to leave the newsletter was suddenly revoked with no immediate explanation. Mr. Alan was pleased to report that the situation has changed and the Railgram will be left at the Morris & Essex Lines stations for rail riders. Mr. Alan said the Coalition is absolutely delighted with this result and deems it a victory for "open communication" with riders that management holds as a goal. He thanked management for notifying employees and deeply appreciated the amicable and successful resolution of this matter.

Mr. Alan mentioned that he has started an initiative to campaign for federal operating assistance for transit. The service cuts that riders endured during the past year provide a graphic demonstration of this need. The situation at other transit authorities, including New York, is even more critical. If this campaign is a joint initiative between management and rider advocates, combined voices will be very powerful. It is vital that operating assistance be included in the TEA-LU reauthorization later this year. Mr. Alan welcomed an opportunity to discuss this issue with any interested person at NJ TRANSIT.

Concerning the Access to the Region's Core project, Mr. Alan said NJ TRANSIT management has acknowledged that the project will only benefit New Jersey commuters. Mr. Alan stated deep concern on many occasions that Amtrak will be effectively shut out of the new tunnels, while the Morris & Essex Lines and Montclair-Boonton Line riders, among others, will be shut out of the existing Penn Station. A set of tunnels and tracks that helps all riders get to where they want to go is far more efficient and cost-effective than separate tunnels and terminals for NJ TRANSIT and for Amtrak. With the new economic reality, the people of New Jersey deserve the far more cost-effective project that was on the books prior to June 2007. The marginal cost of building it is modest and the cost savings from not having to build a deep cavern terminal is enormous. This savings, along with the efficiency of a line everybody can use, are compelling reasons to go back to the better proposal.

Mr. Alan questioned NJ TRANSIT's assertion that New Jersey commuters will benefit from a terminal located 175 feet below 34<sup>th</sup> Street. Commuters who go to the East Side will not benefit because the proposed line will not go there. Raritan Valley, Main-Bergen and Pascack Valley riders who will go into the proposed deep cavern terminal will need at least as much time to get out to the street than they currently need to change trains at Newark or Secaucus. Morris & Essex Lines and Montclair-Boonton Line riders who commute to the West Side will fare the worst, since they will lose their access to Penn Station and be forced into the proposed underground parking garage for trains. They may keep a one seat ride to the train garage, but they will have a seven-minute ride just to the street level. The only reason that the NJ TRANSIT part of the journey could still

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be called a “one-seat ride” is because they will be forced to stand for the last seven minutes, while ascending to the street.

James T. Raleigh commented on a Star Ledger picture and blogger headline dated February 1, 2009, “Rail Tunnel plan to New York is a dead-ender”. Mr. Raleigh expressed concern about New Jersey money going into a deep cavern. He said the New Jerseyans going into New York have to pay taxes for what they earn in New York and with the financial meltdown, this affects New Jerseyans the most.

Mr. Raleigh said the Memorandum of Understanding with Amtrak states that Amtrak shares the goal of increased rail capacity between New Jersey and New York, but the only item worked out is the reallocation of slots. Mr. Raleigh said there should be more intercity communications regarding rail. He mentioned the article stated that Governor Paterson of New York has asked New Jersey, New York (the Long Island Railroad) and Amtrak to cooperate in the reuse of the post office space and the train platforms.

Marjorie Perry said she has been a certified disadvantaged business enterprise for the last 15 years and has known Jan Walden for 50 years. She said Ms. Walden is noted for her exemplary work in the community. She said Ms. Walden helped men and all women of all races to move their businesses or agencies forward. She hopes Ms. Walden’s replacement will be project service oriented and grow and expand successful businesses.

Al Cafiero commented that Colorado Railcar ceased operations on December 31, 2008 and they were the manufacturer for the diesel multiple unit (DMU) railcars. Mr. Cafiero said he spoke to many people in Tenafly who say they do not want rail service at all but nearly everyone he spoke to said light rail is a good service for Tenafly. Mr. Cafiero expressed best wishes to Jim Redeker and said he appreciated his assistance through the years.

Rose Heck commented about light rail. She is concerned and inundated with emails and phone calls regarding an article in The Record last month. NJ TRANSIT put an opinion editorial in The Record and Railway Age. She is concerned that all the work done with the communities thus far could be reversed because of the information in the article. Ms. Heck requested help from NJ TRANSIT to clarify the article so the information is not misconstrued. Ms. Heck also asked if there is a 2009 hearing date yet.

Executive Director Sarles said the process is that first, a Draft Environmental Impact Statement is submitted to the Federal Transit Administration. Once the Federal Transit Administration submits comments to NJ TRANSIT, those comments have to be reviewed and incorporated. To date, the Federal Transit Administration has not provided comments.

Ms. Heck asked NJ TRANSIT to bring this issue along with the Federal Transit Administration and not wear down the passage of time. She said light rail was promised to Bergen County and it is imperative that Bergen County have this mode of transportation since they are nearing a million in population.

Michael Blackwell applauded the efforts of moving the Access to the Region's Core project and hopes that same aggressiveness will continue. Mr. Blackwell thanked and saluted Jan Walden for a job well done.

Since there were no further comments or business, Acting Chairman Pringle called for adjournment and a motion to adjourn was made by Flora Castillo seconded by James A. Carey and unanimously adopted. The meeting was adjourned at approximately 11:12 a.m.

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

**FEBRUARY 11, 2009**

**MINUTES**

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

**ACTION ITEMS**

- |        |   |       |
|--------|---|-------|
| 0902-1 | <p><b>BLOOMFIELD AVENUE EXPRESS-BUS SERVICE SHELTERS, SIGNS AND LIGHTING: CONSTRUCTION CONTRACT AWARD</b></p> <p>Authorization to contract (No. 09-041X) with Metroclean Express of Long Island City, New York, for the construction of new bus shelters, signs, lighting and site improvements at locations in the City of Newark and Township of Bloomfield at a cost not to exceed \$1,291,779, plus five percent for contingencies, subject to the availability of funds.</p> | 40809 |
| 0902-2 | <p><b>ACCESS TO THE REGION'S CORE: NJ TRANSIT / THE PORT AUTHORITY OF NEW YORK &amp; NEW JERSEY GENERAL PROJECT AGREEMENT</b></p> <p>Authorization to execute a General Project Agreement with the Port Authority of New York and New Jersey to memorialize the parties' cooperation and formalize their roles and responsibilities as they move this project forward.</p>  | 40812 |

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0902-3      **ACCESS TO THE REGION'S CORE: MEMORANDUM OF AGREEMENT BETWEEN NJ TRANSIT / NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)**      40815

Authorization to execute a Memorandum of Agreement (MOA) with the National Railroad Passenger Corporation (Amtrak) that defines the roles and responsibilities of NJ TRANSIT and Amtrak on environmental, property transfer and other matters during the design and construction phases of the Access to the Region's Core project. The MOA will also authorize payment of a \$150,000 administrative fee to Amtrak for costs associated with the property transfers and establish a renewable \$1,000,000 escrow account for environmental remediations mandated by other governmental agencies.

0902-4      **ACCESS TO THE REGION'S CORE: PROPOSAL STIPENDS FOR THREE DESIGN/BUILD TUNNEL CONTRACTS**      40818

Authorization to pay stipends to each unsuccessful proposer that completes the three steps of each contract procurement by providing a responsive, responsible proposal for each of the three Design/Build Tunnel Projects. The successful proposer will not receive a stipend. Based on the assumption of three bidders for each of the three procurements, the stipends will total \$2,250,000 maximum.

0902-5      **NJ TRANSIT GRANT PROGRAMS SUPPORTING COORDINATED LOCAL TRANSPORTATION FOR SENIOR CITIZENS, PERSONS WITH DISABILITIES, RURAL AND ECONOMICALLY DISADVANTAGED RESIDENTS**      40821

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

- FY2009 Senior Citizen and Disabled Resident Transportation Assistance Program, as set forth in Exhibit B, for a total program amount of \$33,018,000 funded by the Casino Revenue Tax.
- FY2009 FTA Section 5311 Rural and Small Urban Areas program, as set forth in Exhibit C, for a total program amount of \$3,979,950 which includes \$2,750,275 in federal funds and \$1,229,675 as the NJ TRANSIT share of local match.

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- FY2009 FTA Section 5311(b)(3) Rural Transit Assistance Program in an amount up to \$96,108 in federal funds at no cost to NJ TRANSIT.
- FY2009 FTA Section 5310 Transportation for Elderly Persons and Persons with Disabilities program at a cost not to exceed \$4,800,000 which includes the \$3,840,000 in federal funds and \$960,000 as the NJ TRANSIT share of local match.
- FY2009 FTA Section 5316 Jobs Access and Reverse Commute (JARC) Program at a cost not to exceed \$6,318,409 which includes \$5,318,409 in federal funds and \$1,000,000 in funds from the New Jersey Department of Human Services. No NJ TRANSIT match is required for this program as it is provided by the local provider.
- Any specially-dedicated Congressional appropriations, FTA Section 5317 New Freedom, FTA Section 5307, FTA Section 5309 and CMAQ local projects under the FY2009 budget at a cost not to exceed \$8,000,000.

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

**CONSENT ITEMS**

**0902-6 PENN STATION NEW YORK 31<sup>ST</sup> STREET ENTRANCE: AMENDMENT TO CONSTRUCTION MANAGEMENT CONTRACT 40832**

Authorization to amend the contract (No. 06-063C) with Bovis Lend Lease LMB, Inc. (formerly Bovis Lend Lease) of New York, New York, for construction management services in the amount of \$230,085, for a total contract task authorization of \$730,085, subject to the availability of funds.

**0902-7 NEWARK BROAD STREET STATION ADA AND CAPACITY IMPROVEMENTS: AMENDMENT TO CONSTRUCTION CONTRACT 40835**

Authorization to amend the construction contract (No. 04-089) with Conti Enterprises, Inc., of South Plainfield, New Jersey, for

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completion of the construction of ADA accessibility and capacity improvements at Newark Broad Street Station currently underway at a cost not to exceed \$475,000, for a total contract authorization of \$53,848,700, subject to the availability of funds.

0902-8

**SELECTION OF SPECIAL COUNSEL**

40838

Authorization to continue to compensate Decotiis, Fitzpatrick, Cole & Wisler as Special Counsel with respect to the Hoboken Terminal development at an amount not to exceed \$75,000, for a six month term.

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

**EXECUTIVE SESSION AUTHORIZATION**

**BE IT HEREBY RESOLVED** pursuant to N.J.S.A. 10:4-12 and N.J.S.A. 10:4-13 that the Board of Directors of the New Jersey Transit Corporation hold an executive session to discuss contract negotiations and attorney-client, litigation and personnel matters; and

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

### **APPROVAL OF MINUTES**

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

**WHEREAS**, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the December 10, 2008, Board meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc. and NJ TRANSIT Mercer, Inc. were forwarded to the Governor on December 12, 2008;

**NOW, THEREFORE, BE IT RESOLVED** that the minutes of actions taken at the December 10, 2008 New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, Inc. Board of Directors' meetings are hereby approved.

Jon S. Corzine  
Governor

Stephen Dilts  
Board Chairman

Richard R. Sarles  
Executive Director

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

40776



**TO:** BOARD OF DIRECTORS  
**FROM:** RICHARD R. SARLES *Richard R. Sarles*  
**DATE:** FEBRUARY 11, 2009  
**SUBJECT:** EXECUTIVE DIRECTOR'S REPORT – FEBRUARY 2009

Last month, the Federal Transit Administration (FTA) issued a Record of Decision approving the Final Environmental Impact Statement of the ARC Mass Transit Tunnel project, clearing the project into final design and leading the way to federal funding and construction. We are on track to start building the tunnel soon, generating 6,000 new jobs during construction and 44,000 permanent jobs afterwards, and bringing long-term benefits to New Jersey commuters, the economy and the environment. Today the Board will consider two agenda items involving agreements that will allow the tunnel to continue to advance.

Number one, we are seeking approval on a Memorandum of Understanding (MOU) with Amtrak that focuses on inter-agency cooperation during construction and addresses larger issues facing us as joint users of the Northeast Corridor, which has reached capacity into and out of New York. ARC will benefit commuters by doubling peak-period capacity from 23 trains per hour to 48, and making direct rides available to customers on all or parts of nine rail lines that currently require a transfer to or from New York.

Also today, the Board will consider a General Project Agreement with the Port Authority of New York and New Jersey, which has partnered with NJ TRANSIT for more than a decade. The agreement establishes a framework to continue this productive relationship through construction. Collectively, these agreements demonstrate inter-agency cooperation for the greater good, and we deeply appreciate their participation. I would like to recognize Steve Santoro and the Capital Planning Group, as well as Art Silber and the entire Tunnel organization for their efforts toward advancing this project into shovel ready status.

As we approach the stage of seeking bids on major tunnel construction contracts, we are proposing an innovative tactic to stimulate competition and encourage small and disadvantaged business participation. Because preparing technical bid documents for major design/build contracts is an expensive undertaking, it has become an industry best-practice to offer a stipend to promote participation from highly qualified firms that have to consider very carefully the high costs of putting a proposal together. With the Board's approval, we will provide stipends to firms to help cover the costs of preparing bids. This tool of providing "Innovation Stipends" is approved by the FTA for design-build contracts and would be paid to firms that submit unsuccessful bids. Providing an incentive enhances the quality of proposals, promotes competition and encourages Disadvantaged Business Enterprise participation, maximizing the opportunity for NJ TRANSIT cost-savings. In addition, this practice ensures our ability to use all design concepts and ideas contained in unsuccessful proposals, enabling us to incorporate good ideas.

Last Friday marked the launch of Atlantic City Express Service, offering visitors from New York and New Jersey a comfortable new way to travel to Atlantic City. As you know, NJ TRANSIT worked cooperatively with a consortium of casinos—Borgata, Harrah's and Caesars—during the planning phase of their service, and we are gratified to see that the inaugural trips went well.

On the Customer Service front, I am pleased to announce a new feature of njtransit.com that enables customers to book group trips online, which could previously only be arranged by phone. Starting today, anyone who wants to book a group trip—for schools, employers or other organizations—can do so at any hour from the convenience of a computer. This new feature continues a series of incremental web improvements that began several years ago when we automated the Lost & Found process and launched the "contact us" feature on our mobile website.

Congratulations to Mike Shevell and Flora Castillo on their re-appointments to the Board, and to Susan Hayes on her re-nomination. Each brings in-depth experience on a broad range of issues that are important to both our organization and our customers.

Finally, this month we say farewell to two respected colleagues who have helped develop NJ TRANSIT from its earliest days—Jim Redeker, Vice President of Technology Services, and Jan Walden, AED of Diversity Programs. We wish Jim and Jan all the best in their new endeavors.

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

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



# HIGHLIGHTS

### **Feds give green light for new Mass Transit Tunnel**

The Mass Transit Tunnel, centerpiece of the Access to the Region's Core (ARC) project, reached a major milestone on January 14 that clears the way for federal funding and will allow construction to begin this year.

The release of a "Record of Decision" by the Federal Transit Administration officially completes the project's exhaustive environmental review process. Senators Frank R. Lautenberg and Robert Menendez worked extensively to secure this approval from the FTA.

The local financing share of \$5.7 billion is already committed, including \$3 billion from the Port Authority of New York and New Jersey. New Jersey is now looking for a federal funding commitment from the new administration in Washington, D.C.

With train traffic into New York at maximum capacity, the tunnel project will double commuter rail capacity between New Jersey and New York and also allow improved rail service within New Jersey itself. These improvements will reduce roadway congestion with tens of thousands of additional transfer-free passenger trips each day and generate 6,000 jobs annually during construction until project completion in 2017. The mobility benefits of the MTT will also result in 44,000 permanent jobs being created once the tunnel is in service. Construction will create \$4 billion in new personal income, and \$10 billion in gross regional product.

About \$600 million in design and construction contracts will be ready for construction bidding as soon as a federal funding agreement is reached. Several other contracts, and other work, totaling about \$3 billion, will be ready to go to construction soon after.

With the tunnel project creating capacity to serve thousands of additional customers, the NJ TRANSIT commuter rail system will provide more than 254,000 trips each weekday to and from New York in the year 2030, an increase of 46 percent above current levels. This added capacity is expected to eliminate more than 22,000 automobile trips each day, reducing automobile usage by nearly 600,000 vehicle miles each day and relieving pressure on congested roadways, bridges and tunnels.

The existing 100-year-old commuter rail tunnel under the Hudson River has only two tracks that are pushed to their functional limits each rush hour with NJ TRANSIT and Amtrak trains. The Mass Transit Tunnel will more than double peak capacity from 23 trains per hour to 48.

In addition to two new side-by-side single-track tunnels, the project will create new station capacity in Manhattan designed specifically for commuter rail service with wider platforms and more escalators. The new tracks will provide direct access to NYC subway lines, PATH trains and existing Penn Station services.

The project will also create one-seat (direct) commutes to New York for NJ TRANSIT customers on seven commuter rail lines – Main/Bergen County, Port Jervis, Pascack Valley, Montclair-Boonton west of Montclair State University, Morris & Essex west of Dover, Raritan Valley, and North Jersey Coast south of Long Branch, as well as future rail expansion lines.

### **NJ TRANSIT and Homeland Security announce communications upgrade on Newark Light Rail**

New Jersey Office of Homeland Security and Preparedness Director Richard L. Cañas joined NJ TRANSIT Police officials and representatives from Newark-area emergency response agencies on February 2 to announce the completion of a communication system upgrade recently installed on Newark Light Rail that enables dozens of responding agencies to communicate in the event of an emergency in the tunnel environment.

The Interoperable Communication System enables dozens of responding agencies—including fire, police and EMS—to communicate with each other via a common radio channel, accessible from each department's own radio equipment. The system includes 31 operational and response agencies.

With \$2 million in funding provided by the NJ Office of Homeland Security and Preparedness, NJ TRANSIT upgraded the communication system in the Newark Light Rail tunnel to support interoperable communications. As a result of the upgrade, personnel responding to an emergency on the light rail system will be able to coordinate their response and share critical information.

The need for the upgrade was identified during a functional exercise on the Newark Light Rail system that revealed a gap in communication among responding agencies.

The Newark Light Rail interoperable communication system was activated on December 18, 2008.

**Purchase of low-floor buses marks a first for NJ TRANSIT**

On December 10, 2008, the NJ TRANSIT Board of Directors approved the purchase of 57 new buses—including the State's first with a low-floor design—that will enable the agency to better serve bus routes throughout the state and meet growing ridership demand.

The Board authorized a \$12.5 million contract with North American Bus Industries, Inc., of Anniston, Alabama, for the purchase of 39 low-floor, 32-foot transit buses to replace some of the agency's older buses.

Also December 10, the Board authorized a \$9 million contract with Motor Coach Industries, Inc., of Schaumburg, Illinois, for the purchase of 18 new cruiser buses, which are used on long-distance routes.

The new low-floor buses will improve service reliability, offer comfortable interiors for customers, and provide greater capacity than the buses they are replacing. The low-floor design will enable customers to board and exit the bus more rapidly than buses with steps. A ramp in the front door and a kneeling feature will accommodate customers with disabilities.

Twenty-six of the low-floor buses will be used on NJ TRANSIT routes in southern New Jersey—primarily out of Egg Harbor Garage for use on Ventnor Avenue in Atlantic City. The remaining 13 will be used on contracted routes in Morris County.

The 18 new cruiser buses will be similar to NJ TRANSIT's existing fleet of cruiser buses already in operation. Expanding the fleet will allow for greater operational flexibility, enabling NJ TRANSIT to better serve growing ridership demand throughout the state.

The cruiser buses will be deployed on New York commuter bus routes serving Bergen, Essex, Hudson, Middlesex, Somerset, Passaic and Union counties.

All 57 of the new buses will meet or exceed the latest environmental standards by incorporating technologies to reduce exhaust emissions.

Delivery of the 18 cruiser buses is expected early this year, with delivery of the 39 low-floor buses following later in 2009.

# **CUSTOMER AND COMMUNITY INITIATIVES**

**NJ TRANSIT buses to provide direct service at two more Atlantic City Rail Line stations**

On January 10, NJ TRANSIT's No. 554 bus route, which provides direct service between Lindenwold Station on the Atlantic City Rail Line and Atlantic City, began serving Atco and Egg Harbor rail stations, giving bus and rail customers the flexibility of two travel modes.

With the route adjustments, all rail stations between Lindenwold and Atlantic City now have bus service to Atlantic City as well, giving customers the convenience of service by either bus or train to any station where they park their car. Under NJ TRANSIT's fare policy, Atlantic City Rail Line tickets and No. 554 bus tickets and passes can be used interchangeably between the two travel modes. For example, a customer with a train ticket from Atlantic City to Egg Harbor City can opt to use that ticket on the bus between those stations at no additional charge. Similarly, a customer with a bus ticket can opt to take the train.

To provide service to Atco Station, buses turn off Route 30 (White Horse Pike) onto C.W. Haines Boulevard near Route 73, and enter the station parking lot via a new access road. In addition to providing convenient travel options to customers, the adjustment introduces bus service to nearby land which Waterford Township officials are promoting for economic development.

The route adjustment provides direct service to Egg Harbor City Station on Atlantic Avenue, one block southwest of Route 30.

**NJ TRANSIT offers bus service to Mountain Creek Ski Resort**

For the winter ski and snowboarding season, NJ TRANSIT is offering express bus service on the No. 194 route to Mountain Creek Ski Resort in Vernon, NJ, from the Port Authority Bus Terminal and Wayne/Route 23 Transit Center.

Daily service was offered from Friday, December 26, 2008, through Friday, January 2, 2009 (including New Year's Day). Since January 3, service has been operating on weekends and holidays only and will continue through Sunday, March 8, (including Martin Luther King, Jr. Day and Presidents' Day).

Buses depart from Port Authority Bus Terminal Gate 326 at 7:30 a.m., receive passengers at Wayne/Route 23 Transit Center at 8 a.m. and arrive at Mountain Creek at 9:12 a.m. Return

trips depart Mountain Creek at 4:30 p.m., stop at Wayne/Route 23 Transit Center at 5:40 p.m. and arrive at the Port Authority Bus Terminal at 6:12 p.m. These express buses do not make local stops.

Roundtrip fare from the Port Authority Bus Terminal is \$20.50 for adults and \$9 for children ages 5-11, seniors and customers with disabilities.

From Wayne/Route 23 Transit Center, roundtrip fare is \$8 for adults and \$3.60 for children ages 5-11, seniors and customers with disabilities.

All customers 19 and older can receive a \$10 discount off Mountain Creek weekend/holiday lift tickets. Children and youths ages 7-18 and senior citizens age 65 and older receive a \$6 discount on weekends and holidays. The discount is available by showing a valid NJ TRANSIT bus receipt at the Mountain Creek admission office.

# **EMPLOYEE RECOGNITION**

### **NJ TRANSIT supports Inauguration Day**

As Barack Obama made history as the first African-American President of the United States, NJ TRANSIT helped to support the massive transportation effort. We leased to Amtrak a ten-car multilevel train and an ALP-46 locomotive to transport passengers between New York and Washington for the event.

In addition, eight NJ TRANSIT police officers joined officers from transit agencies from around the country to help patrol Washington's Metrorail system. On special assignment in Metrorail's two busiest stations—L'Enfant Plaza and Federal Triangle—were Lt. Robert Noble, Sgt. Anthony Molinaro, K-9 Officer Edward Joos and his partner K-9 Bo, and Police Officers Salvatore Bivona, Frank Gregory, Kevin Lenkowski, José Tirado and Ryan Fraser.

### **Bus 'Rodeo' Winners**

On December 11, the winners of the New Jersey Bus Rodeo were recognized at an event at the Ferry Street Training Center in Newark.

Thirty-five bus operators from throughout the state competed in the "rodeo." Contestants were expected to complete an 11-part obstacle course within seven minutes, testing their talents on lane changes, customer stops, turning and backing up. The course measures a bus operator's ability to perform everyday driving skills safely while operating a 45,000-pound, 40-foot bus. The first-place finishers will travel to Seattle in May to participate in the American Public Transportation Association International Bus Rodeo.

The top winners in each division were:

- **First Place:** Francisco Vides (Northern); Edwin Negrón (Central); Thomas Witts (Southern)
- **Second Place:** Melvin Giron (Northern); Anthony Wosniak (Central); Jose Paz (Southern)
- **Third Place:** Joseph Grandioso (Northern); Eugenia Ancion (Central); George Sharp (Southern)

### **NJ TRANSIT receives Certificate of Appreciation**

During Plainfield's annual Fire Prevention Fair, NJ TRANSIT was honored with a Certificate of Appreciation for our participation and support, thanks in large part to the efforts of Community

Relations' Sallie Morris, NJ TRANSIT Police Captain Al Stiehler and Real Estate & Economic Development's Angela Battle. A special kudos goes to Foreman Station Attendant Jamal Ormond for maintaining Plainfield Station.

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

Fifty-three NJ TRANSIT employees retired in December 2008 with careers ranging from 10 to 46 years of service:

1. Carole J. Barnes (Newark) Senior Accountant, General Office Building– 46 years
2. Lauren Lanigan (Maplewood) Supervisor Timekeeping Payroll, GOB – 45 years
3. Richard A. Falcon (Freehold) Dir. Syst. Eng. & Design Cap. Proj., Penn Plaza – 42 years
4. Frank Marinello (Belleville) General Supervisor, Doremus Avenue – 41 years
5. Sandy P. Battaglia (Princeton) System Development, Penn Plaza– 38 years
6. William C. DeMilio (Holland, PA) Project Mgr. Procurement Syst., Penn Plaza – 37 years
7. Louis J. Wassong (Rutherford) Director TIC, General Office Building – 37 years
8. Douglas McCartney (Ridgefield) Bus Operator, Meadowland Garage– 34 years
9. James J. Schwarzalder (Lindenwold) Mgr. Project Development, Penn Plaza – 33 years
10. Walter L. Waters (East Orange) Contract Specialist, Penn Plaza – 33 years
11. Robert M. Cappello (Bloomfield) Penn Station New York General Foreman – 32 years
12. Vincent J. Truncellito (Nutley) Manager Project Development, Penn Plaza – 32 years
13. Anthony C. Best (Piscataway) Foreman Building Service, Penn Plaza– 31 years
14. Mary Koslosky (Rahway) Manager TIC, General Office Building – 31 years
15. Robert Sherwood (Mine Hill Twp.) Principal Equip. Eng. Proj. Mgr., Penn Plz. – 31 years
16. Ronald E. Pasler (Murray Hill) Claims Manager, General Office Building – 30 years
17. Glenn W. Ridsdale (Pompton Plains) Chief Prog. Development, Penn Plaza – 30 years
18. John D. Wilkins (Meyersville) Dir. of Capital Planning & Prog., Penn Plaza – 30 years
19. Richard Bava (Edison) Director of Procurement, Penn Plaza – 29 years
20. John J. Burns (Port Monmouth) Deputy Treasurer, Penn Plaza – 29 years
21. Samuel Prince (Jersey City) Principle Accountant, Penn Plaza – 29 years
22. Rita Simmons-Saunders (Old Bridge) Senior Accountant, GOB – 29 years
23. Frank J. Smolar (Warren) Director Capital Program Mgmt., Penn Plaza – 29 years
24. Maria A. Davis (Newark) Contract Specialist, Penn Plaza – 28 years
25. Patricia A. Henn (Union) Senior Executive Secretary, Penn Plaza – 28 years
26. Naresh C. Jain (Rutherford) Mgr. Non Revenue Fleet Services, Penn Plaza – 28 years
27. Robert Peduto (Point Pleasant) Asst. Program Manager, Penn Plaza – 28 years

28. Robert O. Kurtz (Succasunna) Manager of Claims, General Office Building – 27 years
29. Anthony T. Murtha (Spring Lake) Program Manager, Penn Plaza – 27 years
30. Dana A. Pasczyk (Nutley) Sr. Compensation Program Admin., Penn Plaza – 27 years
31. Cathyann Swiderski (Colonia) Emp. Dev. & Training Admin., GOB – 27 years
32. Paul Everett (Hightstown) Principle Project Manager – 26 years
33. Lya C. Furtado (Little Falls) Administrative Assistant, Penn Plaza – 26 years
34. Joan C. Palazzotto (Verona) Director Employee Benefits, GOB – 26 years
35. Lorraine Robinson (Irvington) Customer Service, Penn Plaza – 26 years
36. Lennox A. Telford (East Orange) Principal Accountant, GOB – 26 years
37. Michael Quigley (Glen Ridge) Financial Systems Manager, Penn Plaza – 25 years
38. Adrain W. Malloy (Piscataway) Dir. Emp. Relation/Training/Prog., Penn Plaza – 24 years
39. Mary E. McGready (Neptune) Lead System Analyst, Penn Plaza – 24 years
40. Rita Whitley (Franklin Park) Chief Train Master, Hoboken Terminal – 24 years
41. Oscar Sandoval (Lawrenceville) Program Manager, Penn Plaza – 23 years
42. Joseph F. Ames (Cherry Hill) Bus Operator, Newton Avenue– 22 years
43. Victor Anaya (Egg Harbor) Terminal Worker, Atlantic City– 22 years
44. Stelian Canjea (Brick) Director Light Rail Engineering, Penn Plaza – 18 years
45. Anthony J. Socci (Staten Island, NY) Admin. Private Carrier Aff., Penn Plaza – 18 years
46. Joseph J. Brady (Bear, DE) Bus Operator, Newton Avenue– 15 years
47. Joan Brooks (West Orange) Strategic Staffing Recruiting Assistant, GOB – 14 years
48. Chester Oms (Newark) Bus Operator, Fairview Garage – 14 years
49. Barrington T. Vigilance (Hillside) Supervisor TIC, General Office Building – 13 years
50. Angel Thurber (Lyndhurst) ADA Schedule Planner, Penn Plaza – 12 years
51. Harvey Brenner (East Brunswick) Starter, PABT – 11 years
52. Angel Lopez (Newark) Dep. General Manager Safety & Training, Penn Plaza – 11 years
53. Snehal Gosalia (Passaic) Facilities Technician, Penn Plaza – 10 years

Ten NJ TRANSIT employees retired in January with careers ranging from 17 to 39 years of service:

1. Daniel G. Biernacki (Allendale) Assistant Superintendent MB-PV, Hoboken – 39 years
2. Ellen Greening (Hawthorne) Coordinator, ROC – 37 years
3. John J. Acconzo (Nazareth, PA) Director Infra Eng Track Dept., Penn Plaza – 32 years
4. James J. Price, Jr. (Newtown, PA) Chief Rail Pln. & Resource Opt., Penn Plz. – 32 years
5. Ashok Vidwans (East Windsor) Principal Engineer, Penn Plaza – 27 years
6. Robert LaForte (Mapleshade) Senior Investigator, Camden – 26 years

7. Fernando Ferro (Paramus) Foreman, Big Tree – 25 years
8. Thomas E. Vinson (Phillipsburg) Sr. Quality Assurance Eng., Penn Plaza – 25 years
9. Henry A. Parente (Clark) Principal Accountant, Penn Plaza – 24 years
10. Alfred L. Morton (Pennsauken) Bus Operator, Newton Avenue – 17 years

# **DBE/MBE PROGRAM**

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

**Federally Funded Contracts**

\$23,815,379 in federal funds were awarded during October through January of FY 09.\* Disadvantaged Business Enterprises (DBEs) were awarded \$4,510,927 or 19 percent, which includes both race conscious and race neutral awards.

**State Funded Contracts**

\$85,064,100 in state-funded contract dollars were awarded during July through January FY 09. \*\* Of that total, Small Business Enterprises (SBEs) received \$15,607,657 or 18.3 percent. Category 1 SBEs received \$65,000 or 0.08 percent. Category 2 SBEs received \$2,467,543 or 2.9 percent. Category 3 SBEs received \$3,352,214 or 3.9 percent. Category 4 SBEs received \$0.00 or 0.0 percent. Category 5 SBEs received \$9,722,900 or 11.4 percent. \*\*\*

**Federal & State Contracts Total**

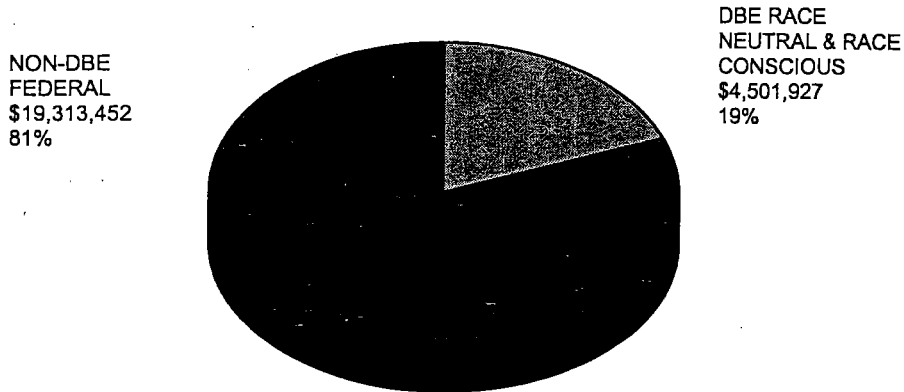
\$108,879,479 in federal and state contract dollars were awarded by NJ TRANSIT during this reporting period. Of that total, \$20,118,584 or 18.5 percent of federal and state contract dollars was won by DBEs and SBEs.

\*Fiscal year beginning October 1, 2008

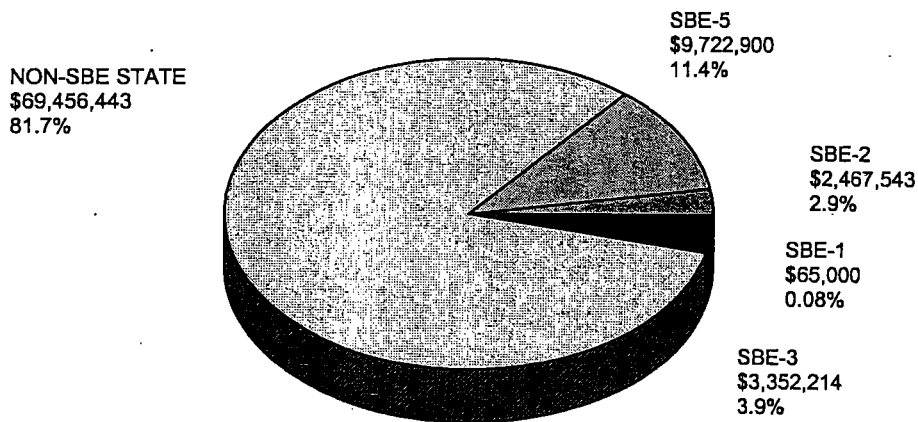
\*\*Fiscal year beginning July 1, 2008

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

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



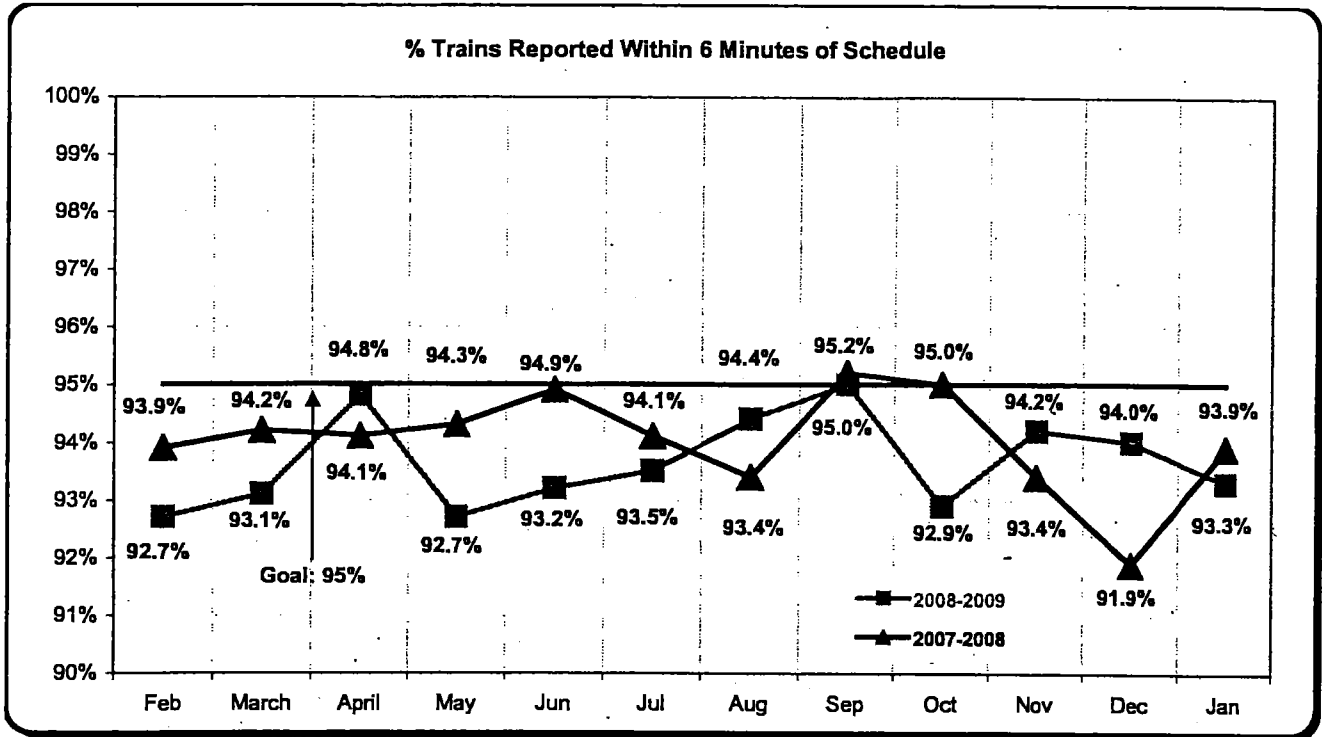
**SBE PARTICIPATION  
STATE CONTRACTS  
STATE FYTD (THROUGH JANUARY 09)\*\***



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

# **PERFORMANCE MEASURES**

# NJ TRANSIT ON-TIME PERFORMANCE RAIL FEBRUARY 2007 - JANUARY 2009



	2008	2009	# Change
<b>January Comparison</b>	93.9%	93.3%	-0.6%

	2007-2008	2008-2009	# Change
<b>12-Month Average February - January</b>	94.0%	93.7%	-0.4%

**Analysis:**

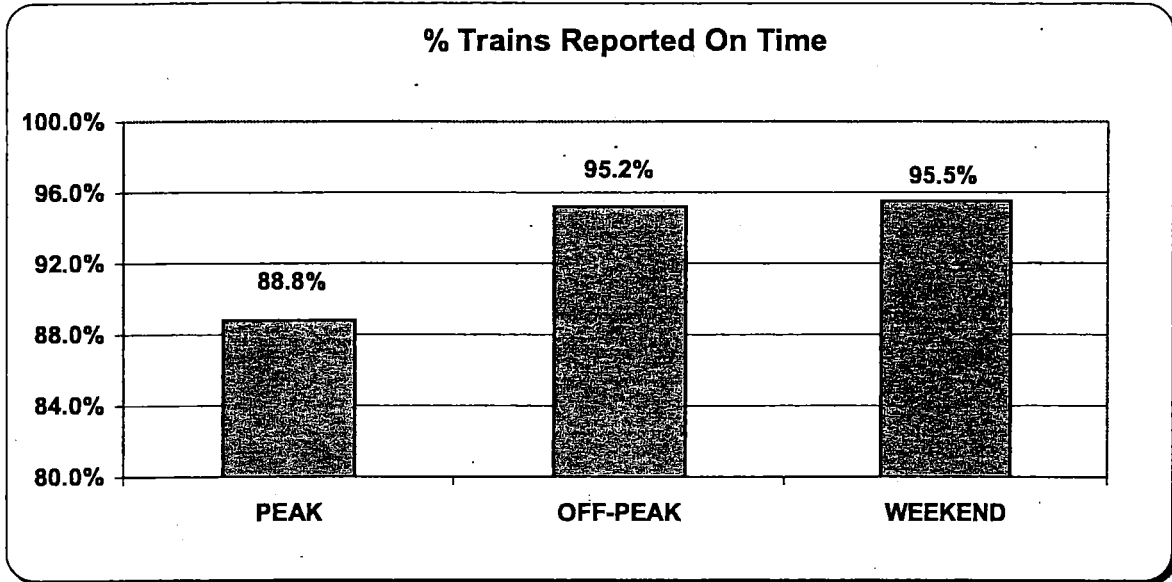
Rail On-Time Performance for January 2009 was 93.3%. Of the 19,248 trains that were scheduled to operate, 17,955 were on time, while 1,293 trains (or 6.7%) were delayed. Key causes of delay included:

- The opening of Portal Bridge on 1/6.
- Switch failure on the Main/Bergen County Line on 1/12.
- Mechanical problems with NJ TRANSIT trains in New York on 1/13.
- Amtrak signal failure in New York on 1/23.

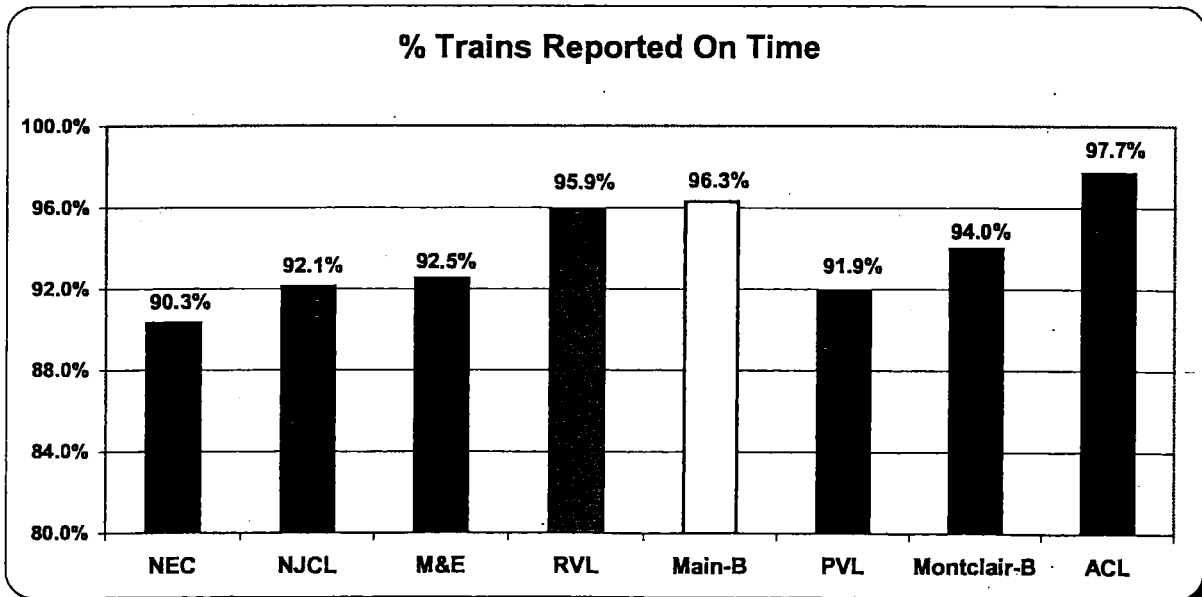
The 12-month average for Rail On-Time Performance for February 2008 - January 2009 was 93.7%.

# ON-TIME PERFORMANCE RAIL

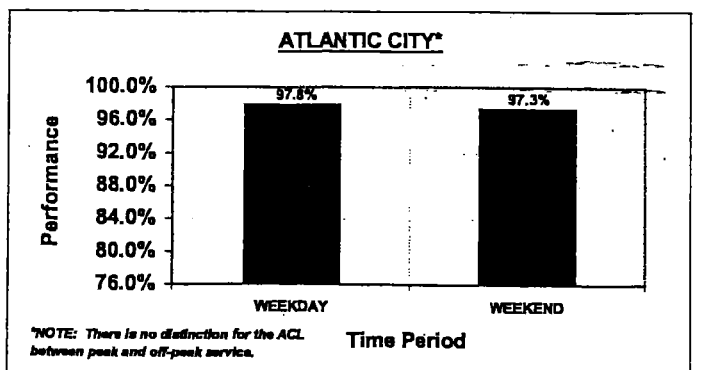
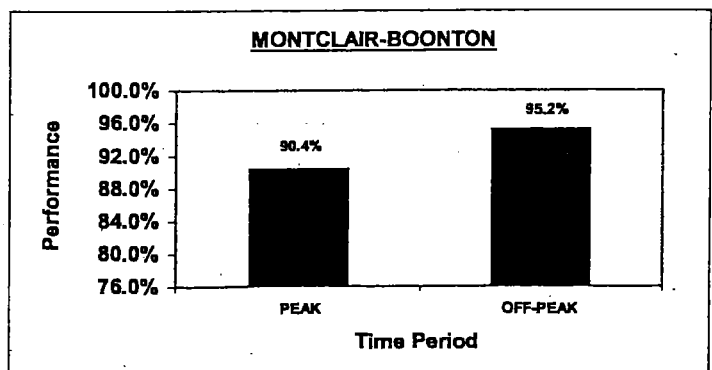
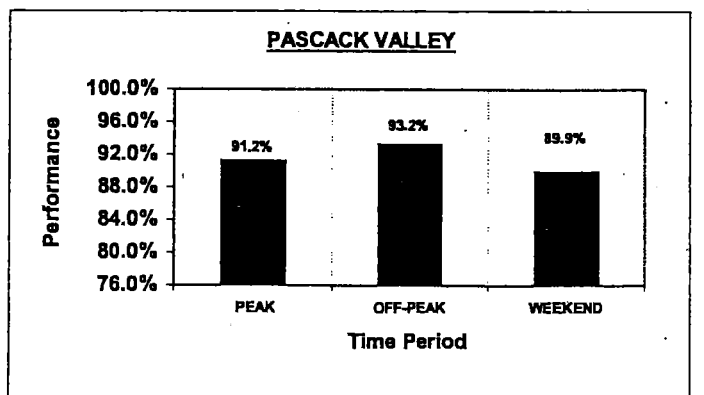
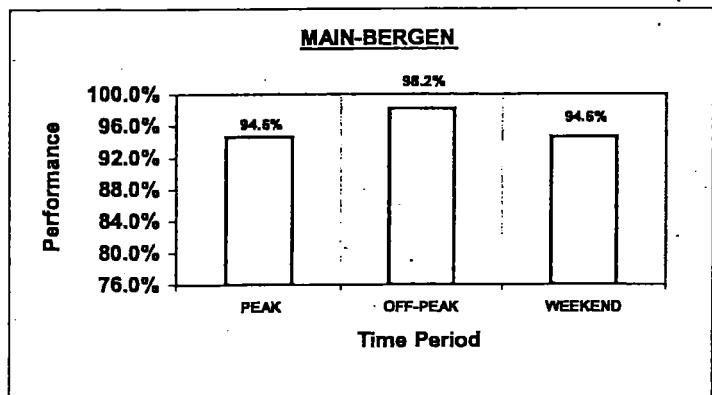
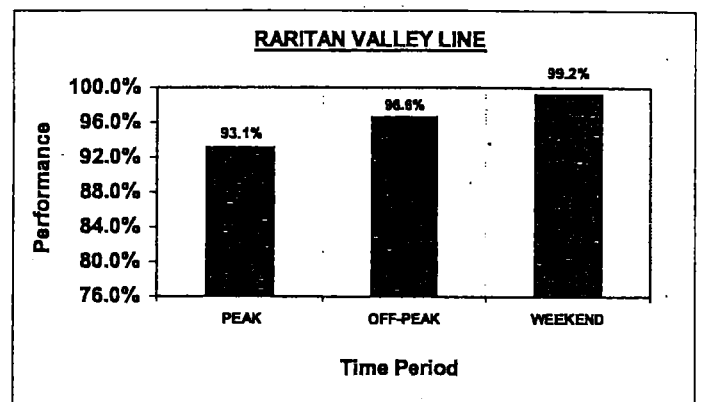
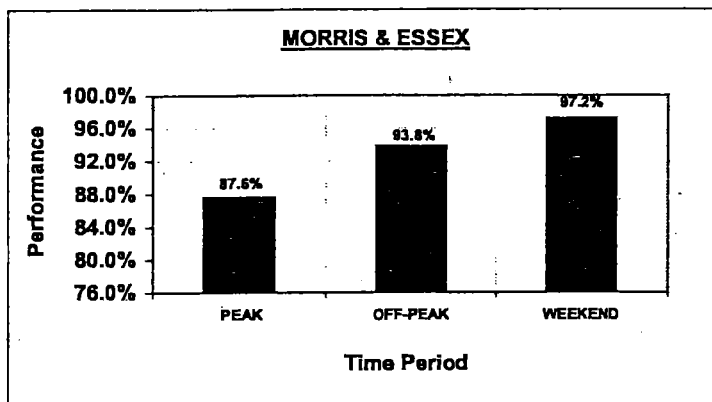
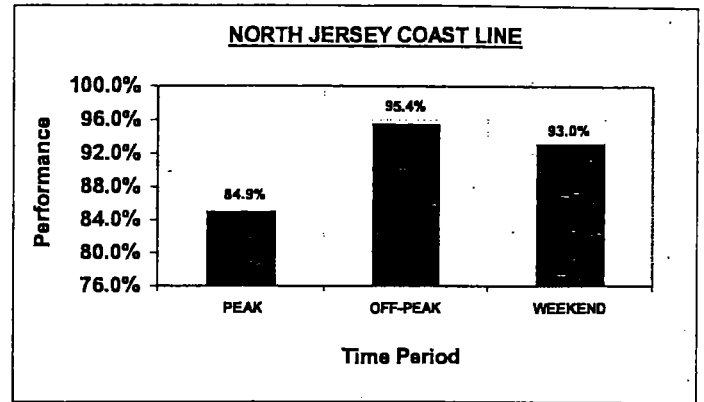
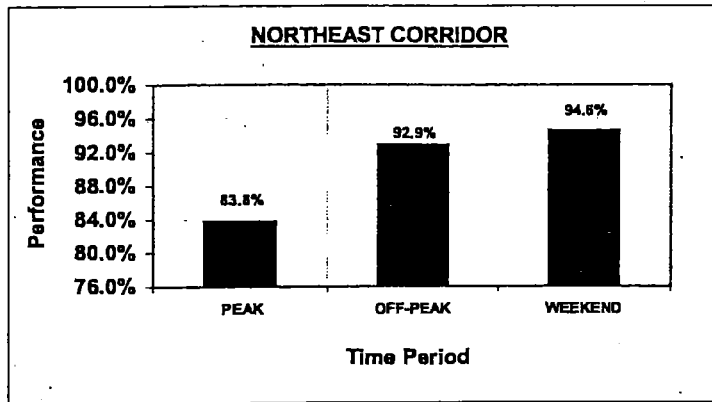
## SUMMARY BY TIME PERIOD JANUARY 2009



## SUMMARY BY LINE JANUARY 2009

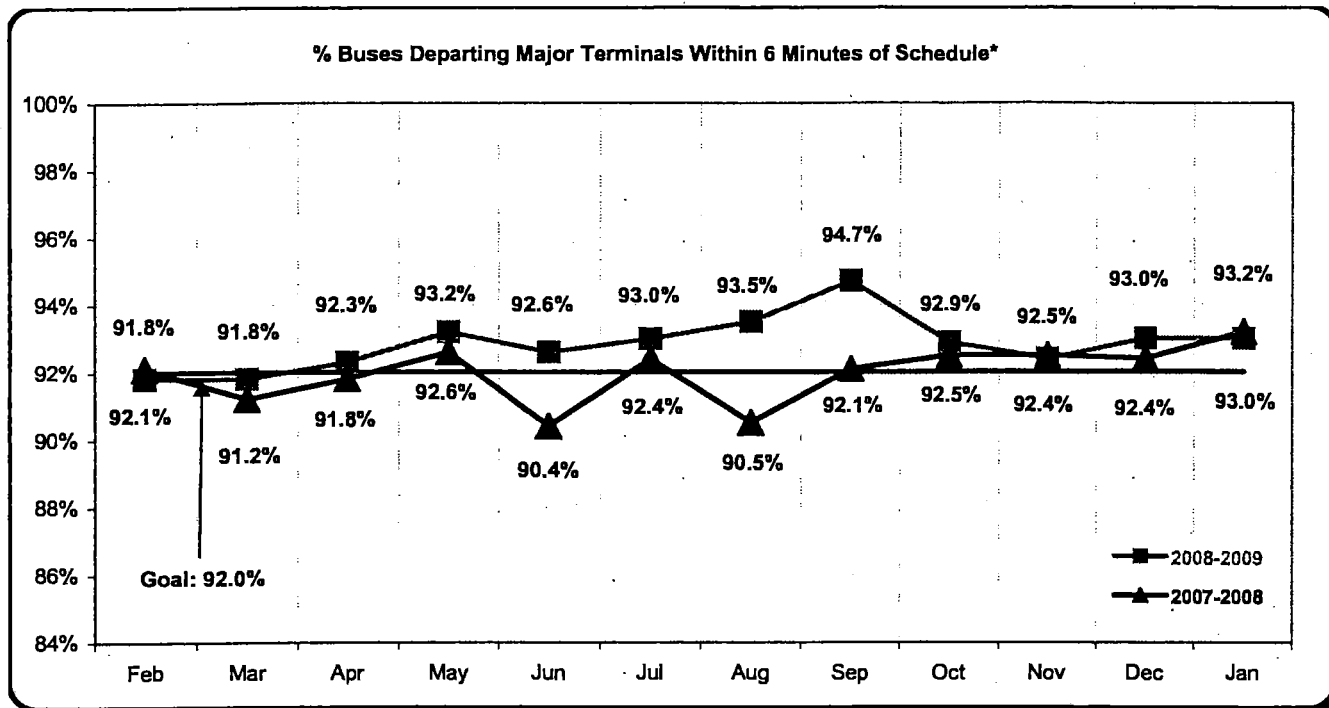


# ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD JANUARY 2009



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

# NJ TRANSIT ON-TIME PERFORMANCE BUS FEBRUARY 2007 - JANUARY 2009



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

	2008	2009	% Change
January Comparison	93.2%	93.0%	-0.2%
12-Month Average February - January	92.0%	92.9%	0.9%

**Analysis:**

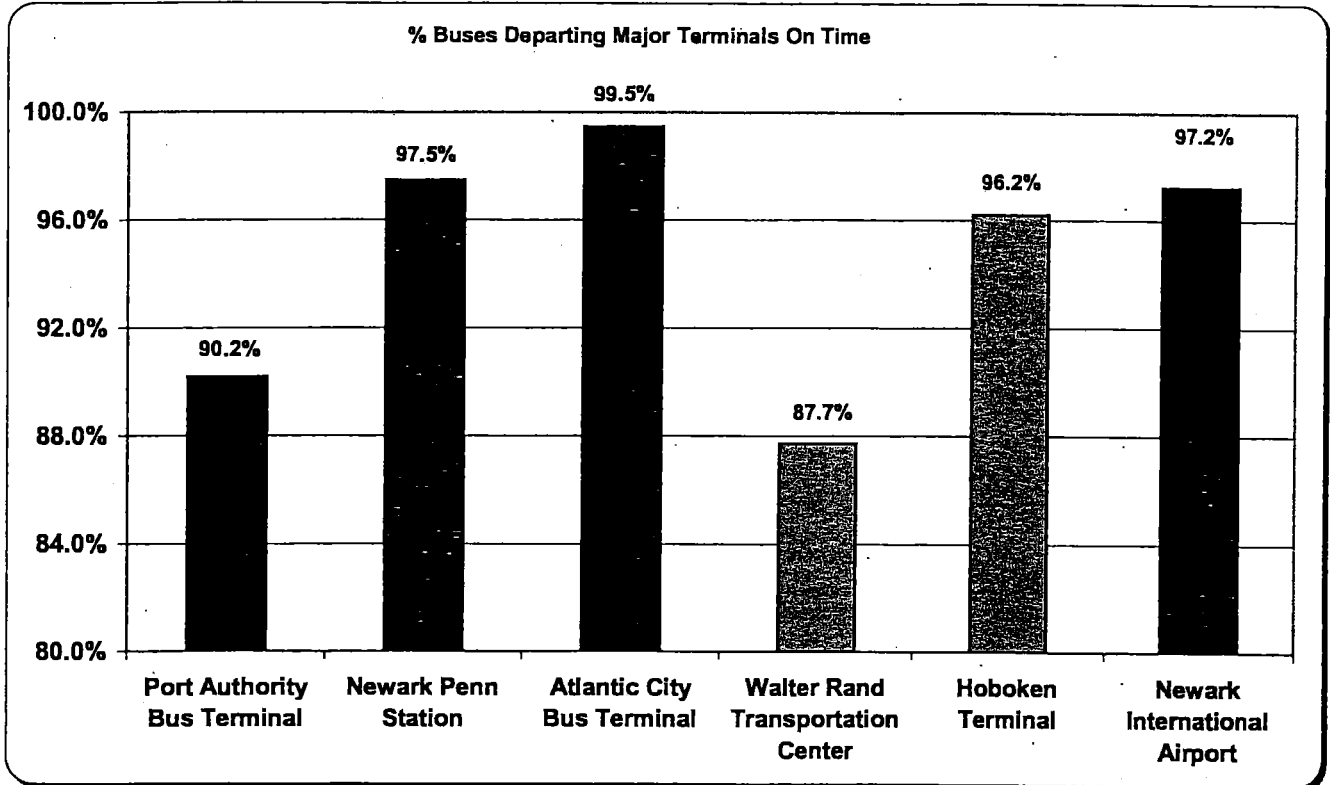
Bus On-Time Performance for January 2009 was 93%. Of the 35,601 monitored departures, 2,505 (or 7%) experienced delays. Key causes of delay included:

- Plane landing in Hudson River caused heavy street traffic impacting Port Authority buses on 1/15.
- Atlantic City Terminal buses were delayed by weather conditions on 1/6 and 1/27.
- Disabled truck on the Ben Franklin Bridge delayed Walter Rand Transportation Center buses on 1/29.
- Traffic on Observer Highway and emergency utility construction on Clinton Avenue impacted Hoboken Terminal buses on 1/9.

The 12-month average for Bus On-Time Performance for February 2008 - January 2009 was 92.9%.

# ON-TIME PERFORMANCE BUS

## SUMMARY BY TERMINAL JANUARY 2009

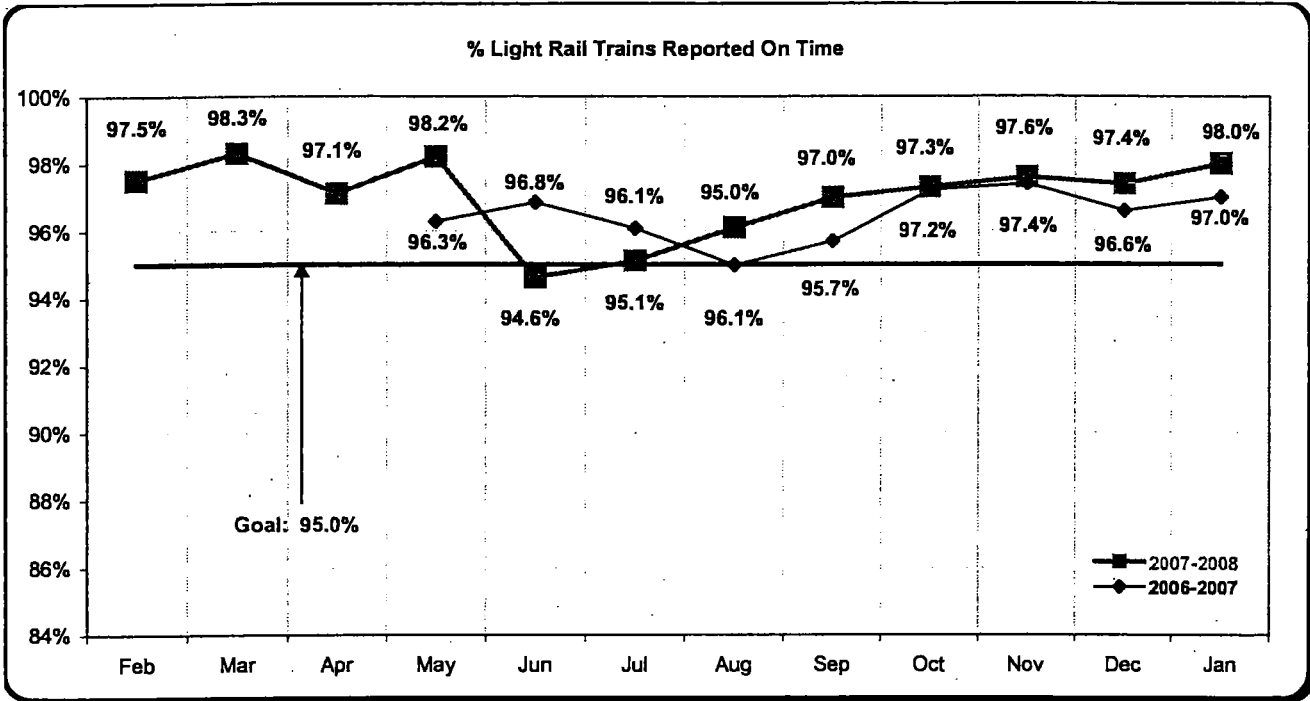


# NJ TRANSIT

## ON-TIME PERFORMANCE

### LIGHT RAIL - SYSTEMWIDE

#### MAY 2007- JANUARY 2009



\*Note: Starting May 2007

	2008	2009	# Change
January Comparison	97.0%	98.0%	1.0%

	2007-2008	2008-2009	# Change
12-Month Average February - January	NA	97.0%	NA

**Analysis:**

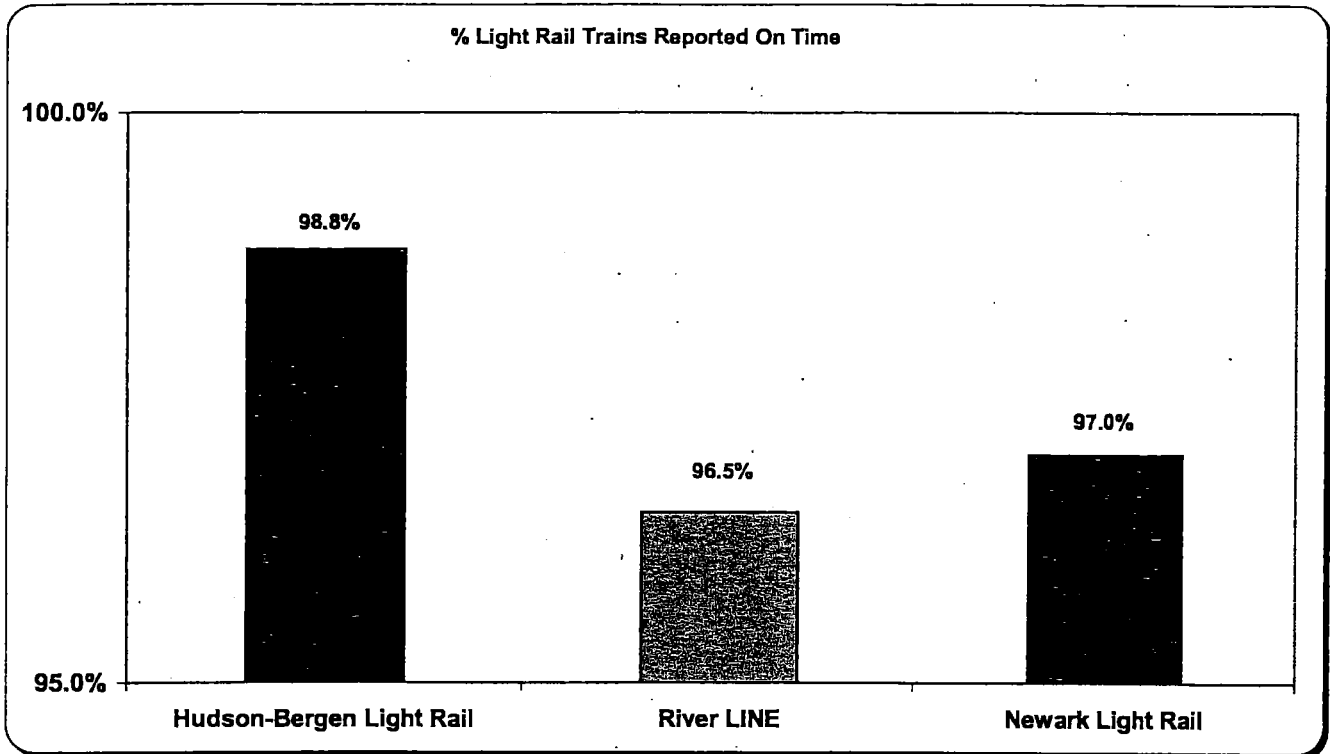
Light Rail On-Time Performance systemwide was 98% for the month of January 2009. Of the 31,375 scheduled trains, 648 (or 2%) experienced delays. Key causes of delay included:

- Winter storm on 1/11 and police activity between Liberty State Park and Jersey Avenue on 1/23 impacted HBLR trains.
- River LINE trains were affected by weather on 1/28.
- A winter storm on 1/28 delayed Newark Light Rail trains.

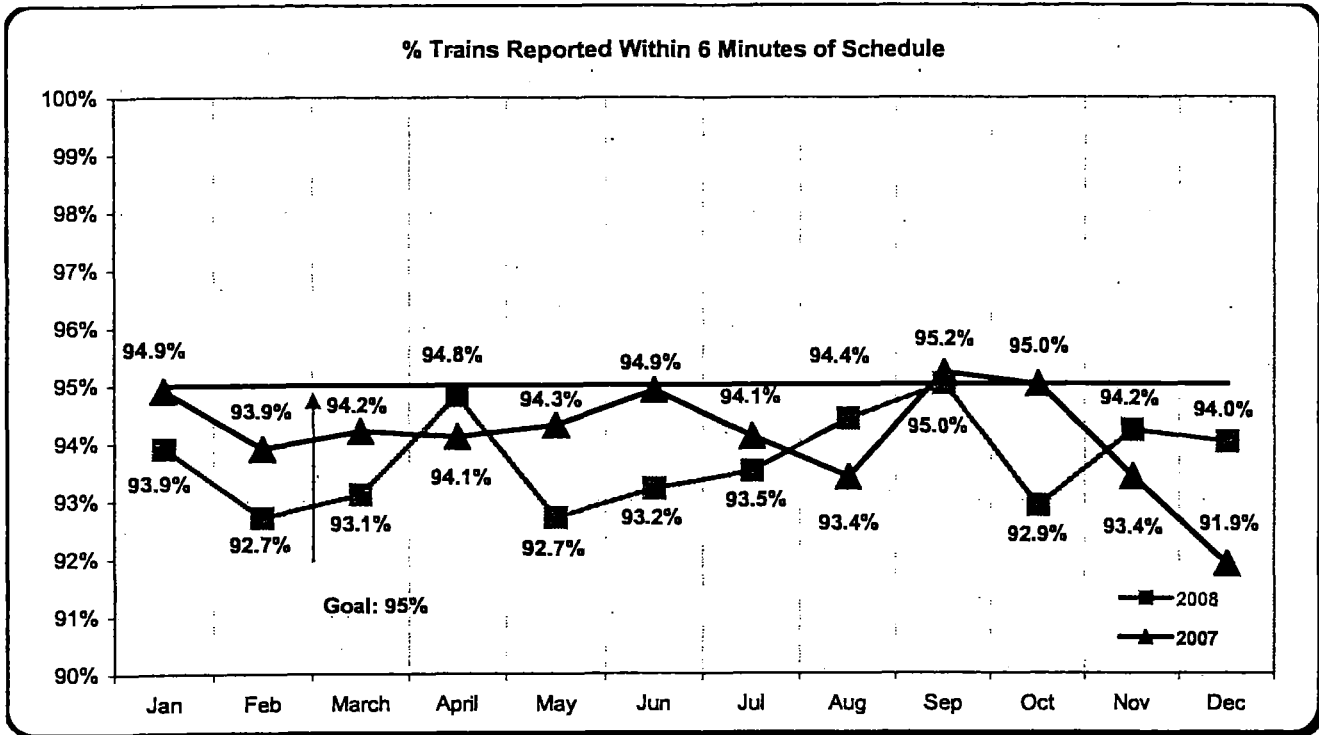
The 12-month average for Light Rail On-Time Performance for February 2008 - January 2009 was 97%.

# ON-TIME PERFORMANCE LIGHT RAIL

## SUMMARY BY LINE JANUARY 2009



# NJ TRANSIT ON-TIME PERFORMANCE RAIL JANUARY 2007 - DECEMBER 2008



	2007	2008	# Change
December Comparison	91.9%	94.0%	2.1%

	2007	2008	# Change
12-Month Average January - December	94.1%	93.7%	-0.4%

### Analysis:

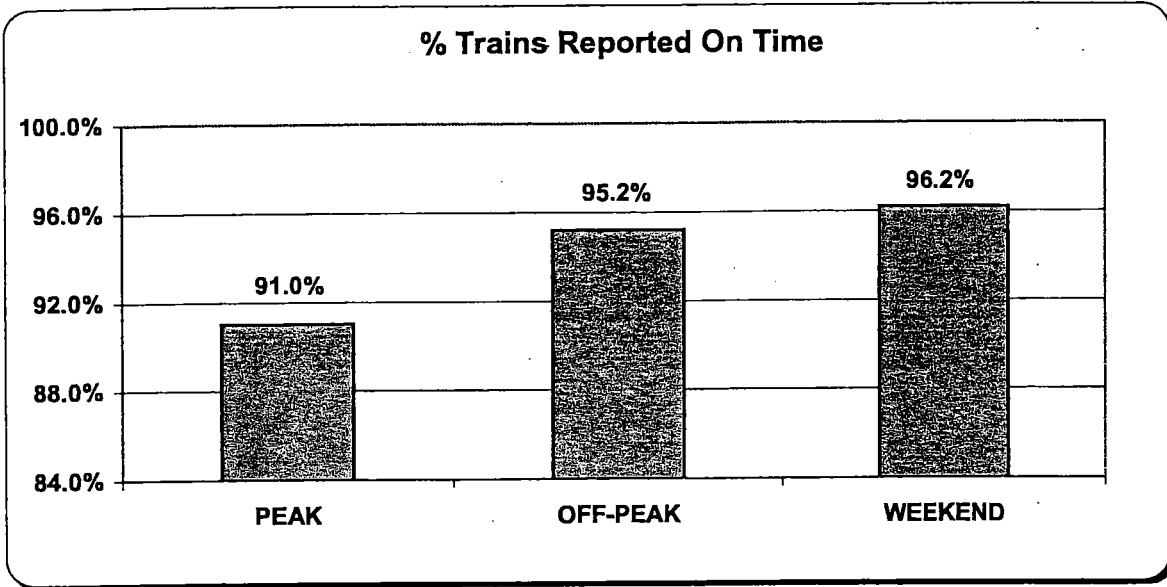
Rail On-Time Performance for December 2008 was 94%. Of the 19,652 trains that were scheduled to operate, 18,479 were on time, while 1173 trains (or 6%) were delayed. Key causes of delay included:

- A switch failure at Summit on 12/8.
- Heavy snow on 12/19.
- Amtrak signal failure in Penn Station, New York and a track problem in the tunnel leading to it on 12/23.
- On 12/24, Amtrak's loss of power to the signal system between New York and Newark, as well as inclement weather and heavy holiday travel on the same day.

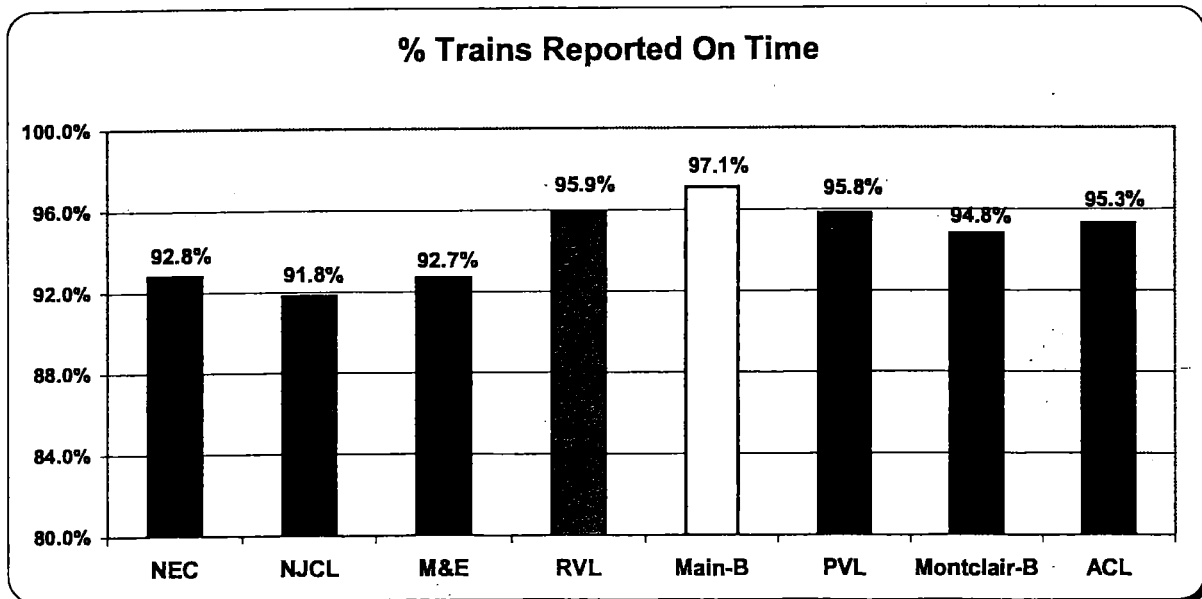
The 12-month average for Rail On-Time Performance for January 2007 - December 2008 was 93.7%.

# ON-TIME PERFORMANCE RAIL

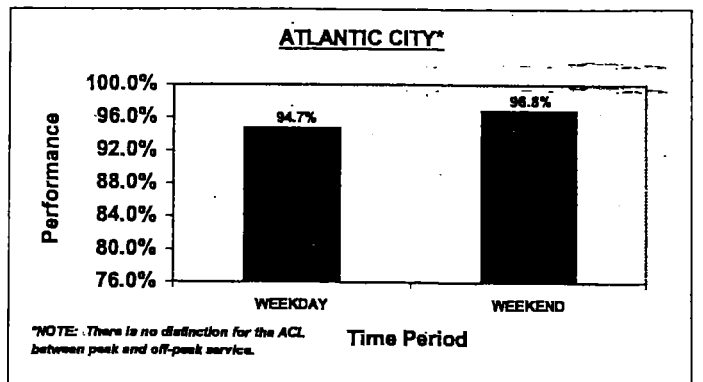
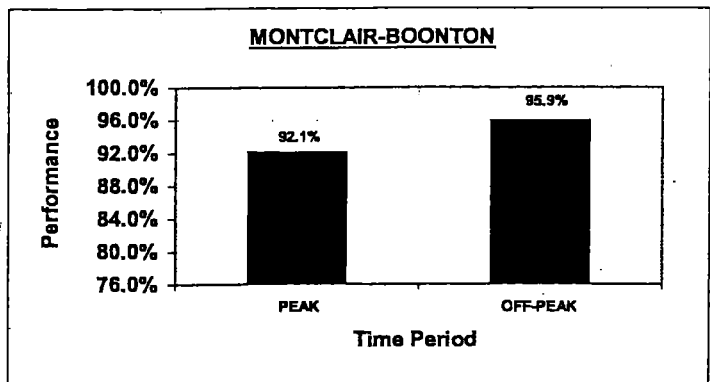
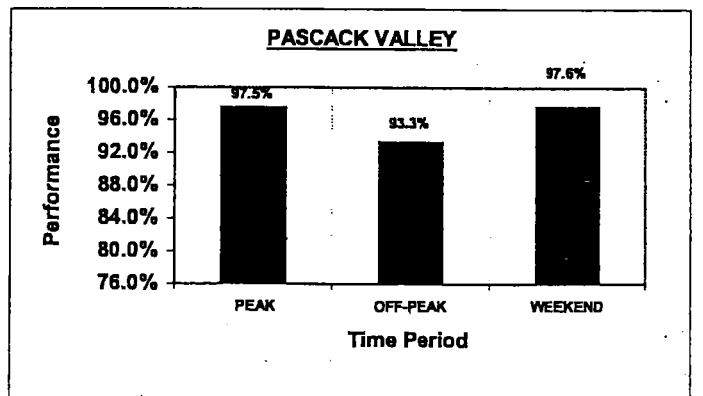
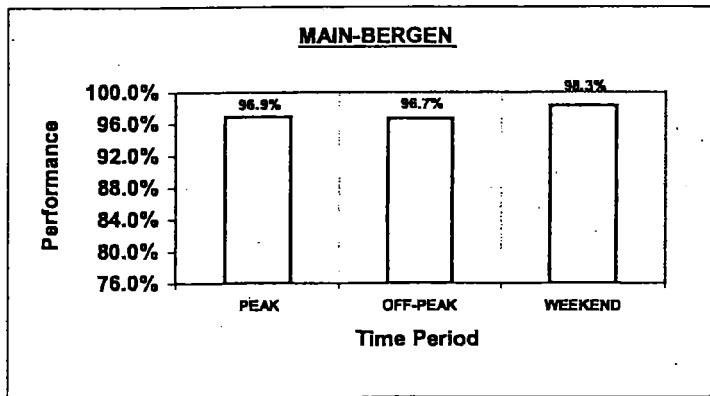
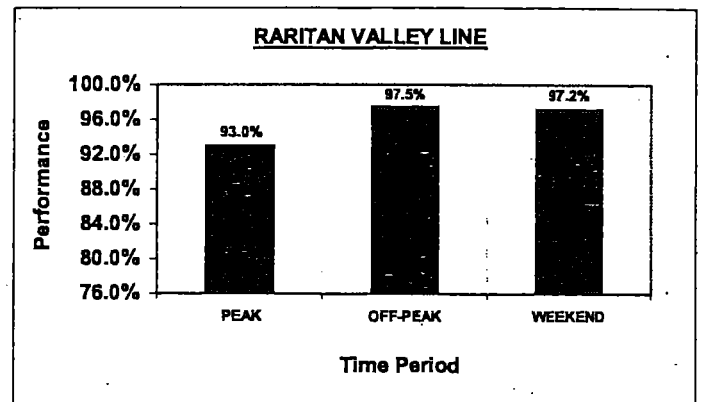
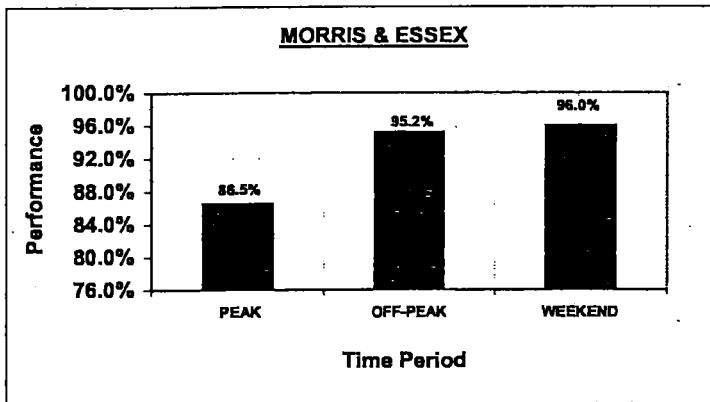
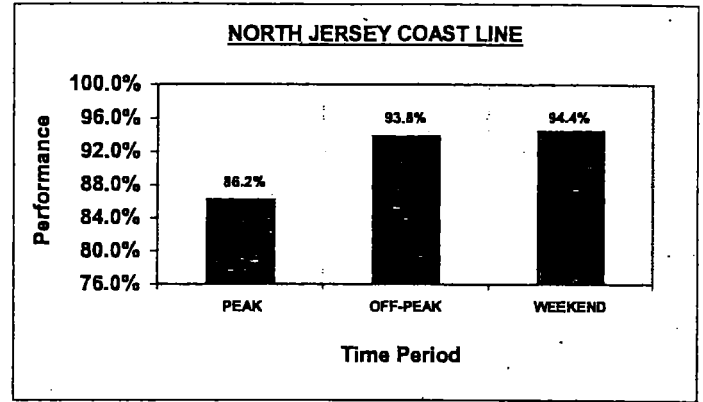
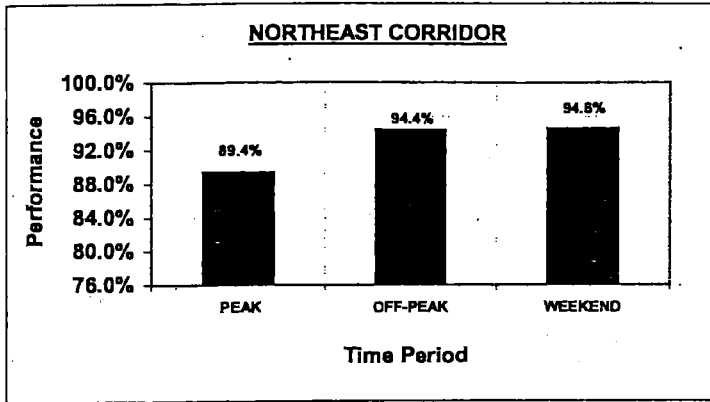
## SUMMARY BY TIME PERIOD DECEMBER 2008



## SUMMARY BY LINE DECEMBER 2008

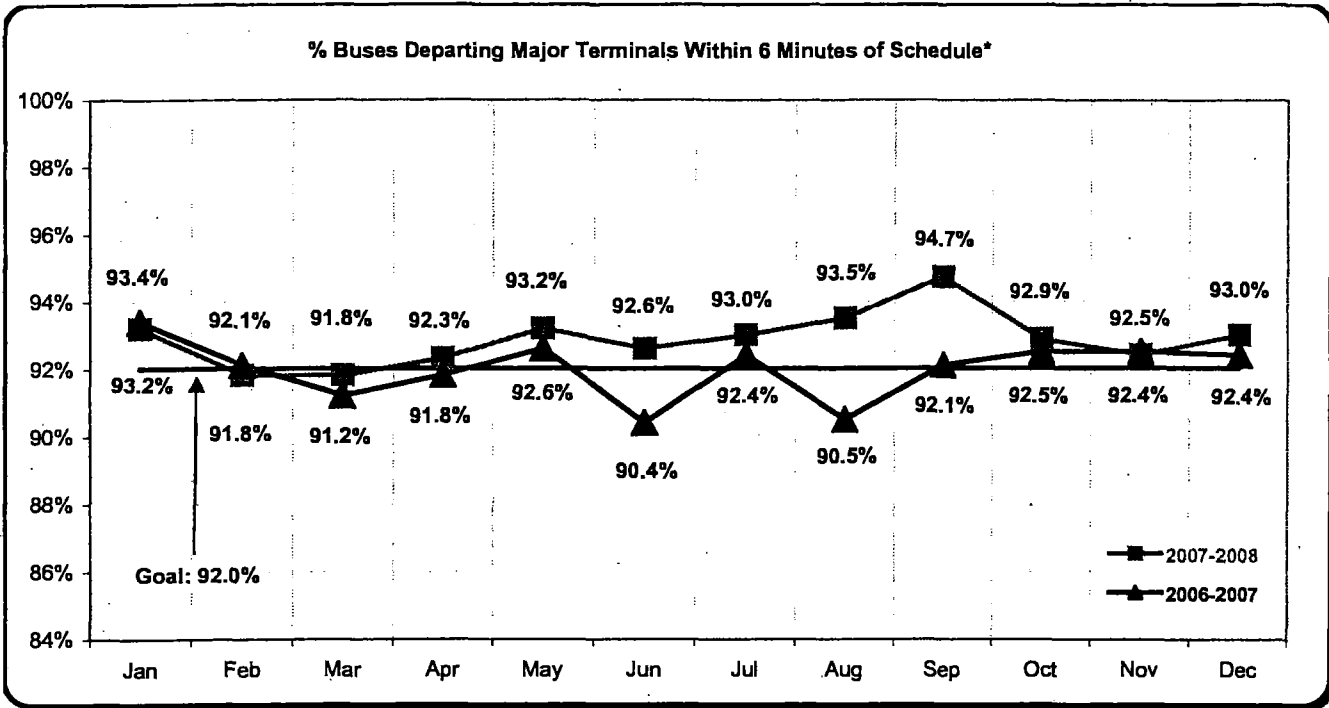


# ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD DECEMBER 2008



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

# NJ TRANSIT ON-TIME PERFORMANCE BUS JANUARY 2007 - DECEMBER 2008



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

	2007	2008	% Change
<b>December Comparison</b>	92.4%	93.0%	0.6%

	2007	2008	% Change
<b>12-Month Average January - December</b>	92.0%	92.9%	0.9%

**Analysis:**

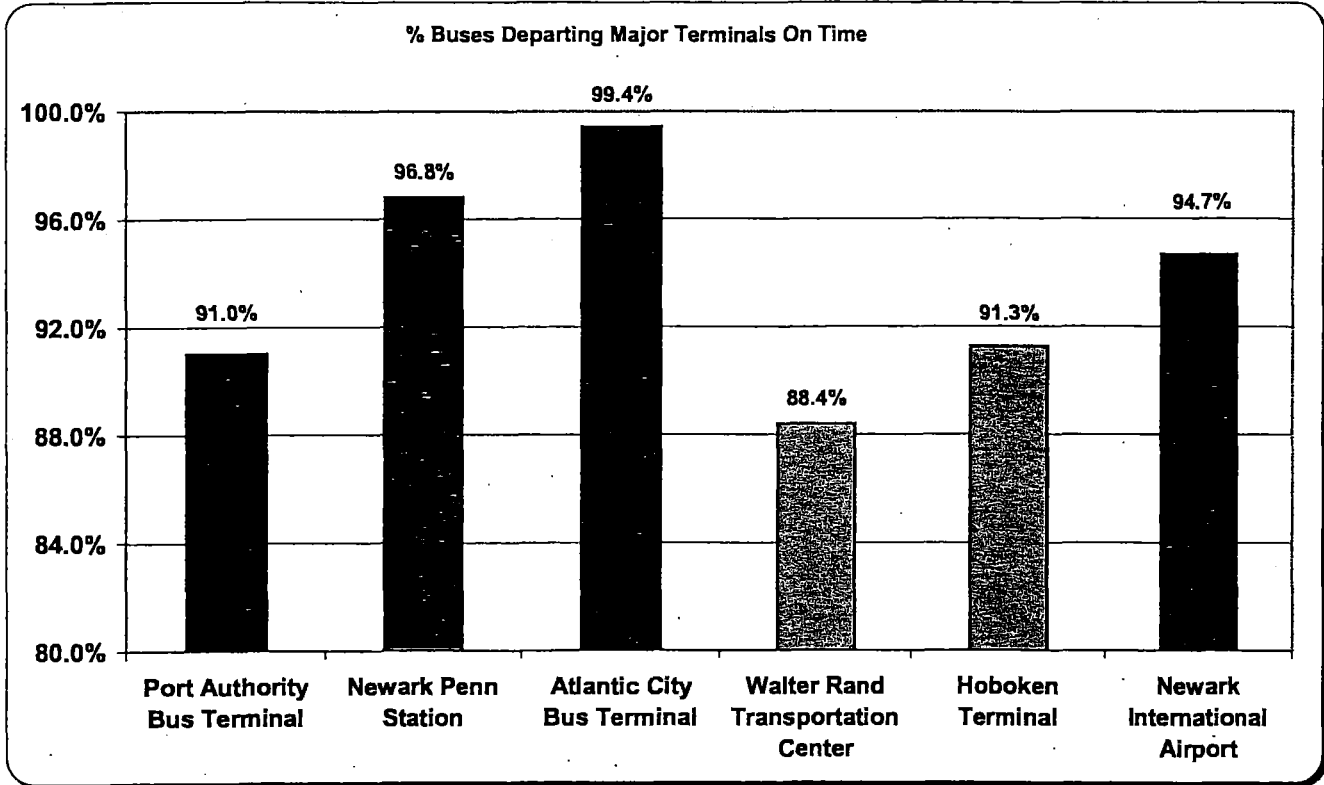
Bus On-Time Performance for December 2008 was 93%. Of the 36,846 monitored departures, 2577 (or 7%) experienced delays. Key sources of delay included:

- Heavy snow on 12/19 delayed Port Authority buses.
- Newark Penn Station buses were delayed by heavy snow on 12/19.
- Traffic delayed Atlantic City Terminal buses in Philadelphia on 12/2 and 12/8.
- Traffic and heavy snow delayed Hoboken Terminal buses on 12/19.

The 12-month average for Bus On-Time Performance for January 2007 - December 2008 was 92.9%.

# ON-TIME PERFORMANCE BUS

## SUMMARY BY TERMINAL DECEMBER 2008

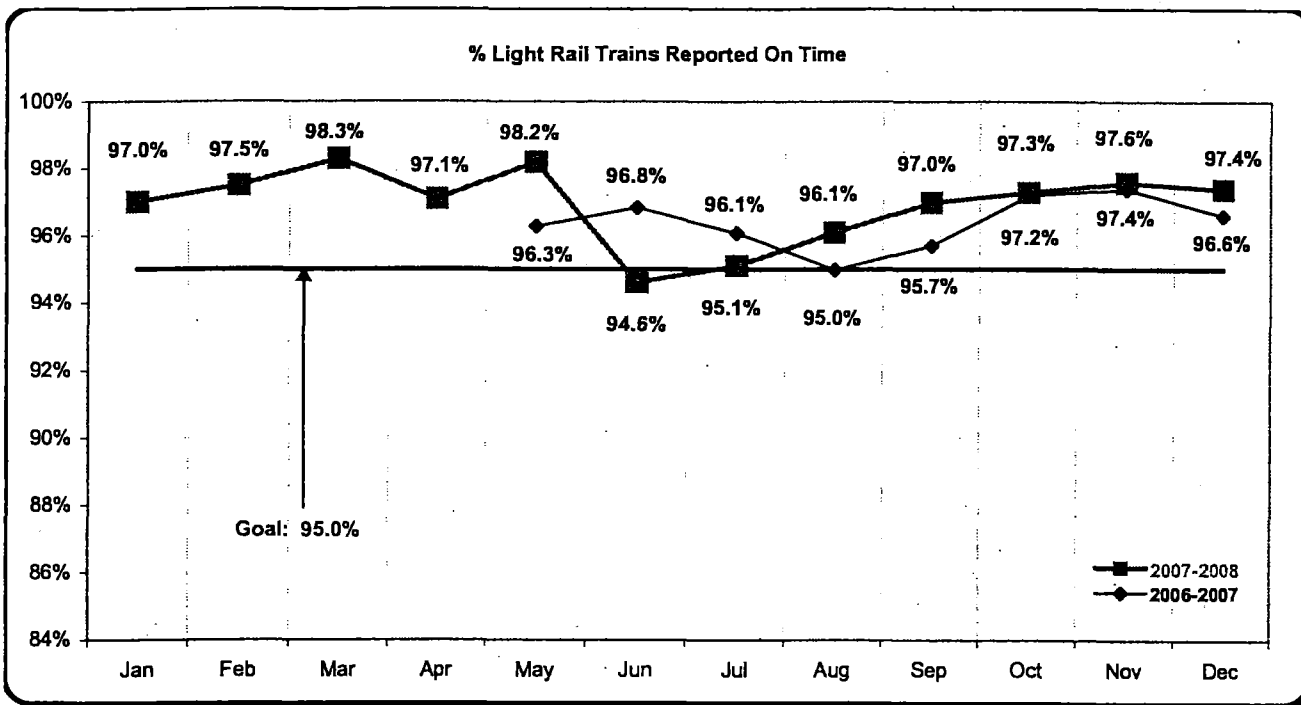


# NJ TRANSIT

## ON-TIME PERFORMANCE

### LIGHT RAIL - SYSTEMWIDE

#### MAY 2007- DECEMBER 2008



\*Note: Starting May 2007

	2007	2008	# Change
December Comparison	96.6%	97.4%	0.8%

	2007	2008	# Change
12-Month Average January - December	NA	96.9%	NA

**Analysis:**

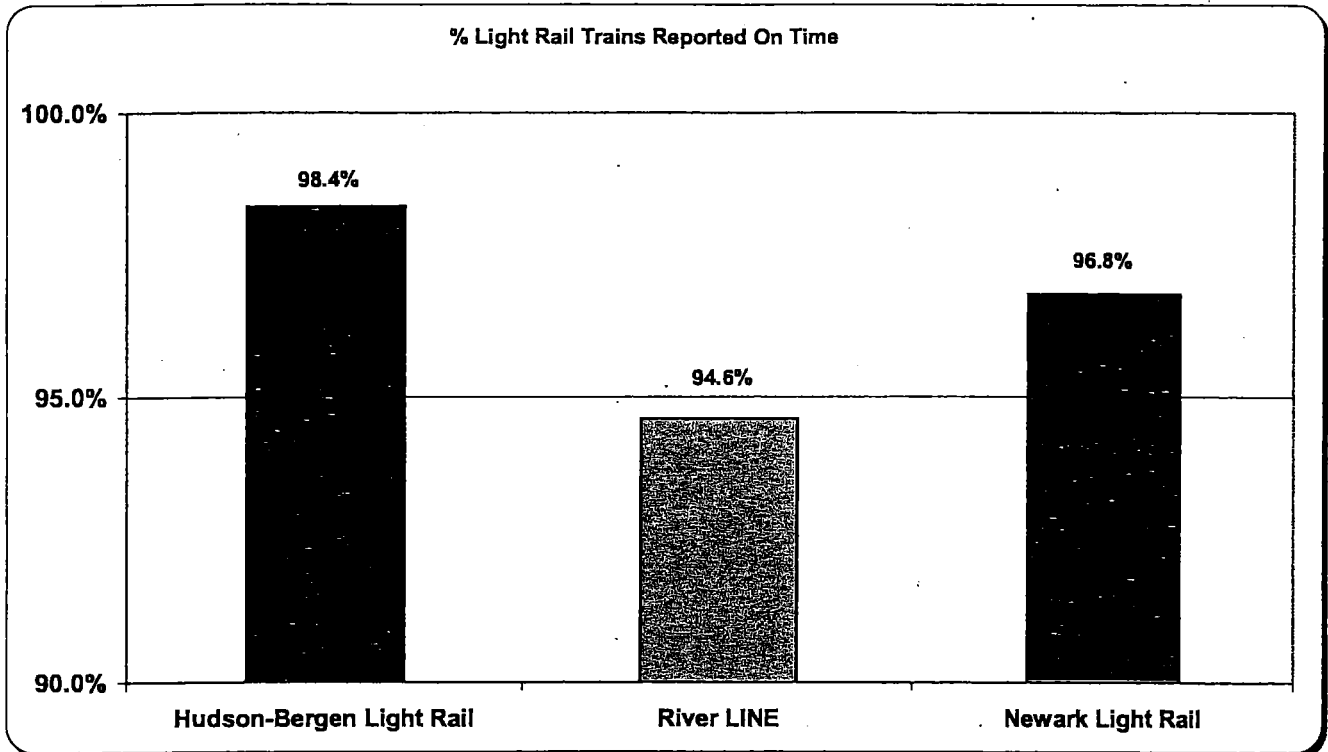
Light Rail On-Time Performance systemwide was 97.4% for the month of December 2008. Of the 32,808 scheduled trains, 838 (or 2.6%) experienced delays. Causes of delay during the month included:

- Jersey City Fire Department activity on Essex Street on 12/3.
- A Central Control software failure on 12/23.
- Newark Light Rail scheduled catenary maintenance on 12/7 and heavy snow on 12/19.

The 12-month average for Light Rail On-Time Performance for January 2007- December 2008 was 96.9%.

# ON-TIME PERFORMANCE LIGHT RAIL

## SUMMARY BY LINE DECEMBER 2008



# **ACTION ITEMS**

**ITEM 0902-1: BLOOMFIELD AVENUE EXPRESS-BUS SERVICE SHELTERS,  
SIGNS AND LIGHTING: CONSTRUCTION CONTRACT AWARD**

**BENEFITS**

NJ TRANSIT has embarked on a program to enhance bus service throughout the state. In the greater Newark metropolitan area, this enhanced bus service will involve upgrades to shelters and streetscapes, with the primary objective of improving customer amenities on buses and at stops. The initial implementation of this program involved new express-stop service along Springfield Avenue from Irvington Terminal to Newark Penn Station (GO Bus), with distinctive color schemes, new shelters and signage. Similar to the year-old GO Bus service, this project will provide new express-stop service, new shelters, signs and lighting at select bus stops along Bloomfield Avenue between Bloomfield Railroad Station and Newark Liberty International Airport. The new express-stop service will serve Newark Liberty International Airport Terminals as well as several job centers within the Airport.

**PURPOSE**

This contract will authorize the construction of bus shelters and site amenities along Bloomfield Avenue and Congers Street in the Township of Bloomfield and along Bloomfield Avenue, Norfolk Street and Central Avenue in the City of Newark. New signage will be provided at locations along Broad Street in the City of Newark and at locations within Newark Liberty International Airport, consistent with the GO Bus branding.

**ACTION (Justification: Customer Service)**

Staff seeks authorization to contract (No. 09-041X) with MetroClean Express Corporation of Long Island City, New York, for the construction of new bus shelters, signs, lighting and site improvements at locations in the City of Newark and Township of Bloomfield at a cost not to exceed \$1,291,779, plus five percent for contingencies, subject to the availability of funds.

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

**FISCAL IMPACTS**

**Requested Authorization:** \$ 1,291,779 + 5% contingency

**Total Project Cost:** \$ 2,000,000

**Projected Date of Completion:** October 2009

**Anticipated Source of Funds:** Federal Transit Administration  
Transportation Trust Fund

**Diversity Goal:** 20% DBE

**Future Related Authorizations:** None

**Impact on Subsequent Operating Budgets:** The shelters will be owned and maintained by the municipalities.

**RESOLUTION**

**WHEREAS**, NJ TRANSIT has embarked on a program of bus enhancements throughout the state including the greater Newark metropolitan area, involving upgrades to shelters and streetscapes; and

**WHEREAS**, the award of this construction contract will support GO Bus service to Newark Liberty International Airport, including express-stop service, bus shelters and site amenities along Bloomfield Avenue and Congers Street in the Township of Bloomfield and along Bloomfield Avenue, Norfolk Street and Central Avenue in the City of Newark; and

**WHEREAS**, upon completion of a competitive procurement process, Metroclean Express was determined to be the lowest responsive and responsible bidder;

**NOW THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to contract (No. 09-041X) with MetroClean Express Corporation of Long Island City, New York, for the construction of new bus shelters, signs, lighting and site improvements at locations in the City of Newark and Township of Bloomfield at a cost not to exceed \$1,291,779, plus five percent for contingencies, subject to the availability of funds.

**ITEM 0902-2            ACCESS TO THE REGION'S CORE: NJ TRANSIT / THE  
PORT AUTHORITY OF NEW YORK & NEW JERSEY  
GENERAL PROJECT AGREEMENT**

**BENEFITS**

NJ TRANSIT and the Port Authority of New York & New Jersey (PANYNJ) have collaborated to advance the Access to the Region's Core (ARC) project to improve regional mobility. The two agencies have worked to advance ARC through preliminary engineering and to complete the Final Environmental Impact Statement that recently garnered a Federal Transit Administration Record of Decision and approval to enter Final Design.

This General Project Agreement sets out a framework for the two agencies to continue their working relationship and combine their transportation project experience as ARC moves into final design and construction.

ARC will accommodate the doubling of ridership expected over the next 20 years by constructing two single-track rail tunnels between New Jersey and an expanded Pennsylvania Station beneath 34<sup>th</sup> Street in Manhattan, a rail storage yard in Kearny, New Jersey and signal and track improvements along and adjacent to the Northeast Corridor. The collaboration between NJ TRANSIT and PANYNJ on ARC will ensure that construction and management is accomplished efficiently and professionally.

**PURPOSE**

NJ TRANSIT and the PANYNJ have been governmental partners in advancing the ARC project for more than a decade. The General Project Agreement between the two agencies will ensure the inter-agency cooperation that will properly advance construction and related activities of the project. The agreement will also formalize the PANYNJ commitment of \$3 billion to partially fund the project.

The General Project Agreement specifically states that NJ TRANSIT continues to be the lead agency on ARC for procurement and administration of all design and construction contracts. The General Project Agreement also says that NJ TRANSIT will be responsible for acquiring any New Jersey property necessary for the project, and that the PANYNJ will acquire any New York property required for ARC. It also provides for a 99-year rent-free lease by the PANYNJ, renewable for four 99-year terms, to NJ TRANSIT to operate the tunnel facilities and railroad system in New York. NJ TRANSIT is to own the facilities in New Jersey.

**ACTION (Justification: Core System Capacity)**

Staff seeks authorization to execute a General Project Agreement with the PANYNJ to memorialize the parties' cooperation and formalize their roles and responsibilities as they move this project forward.

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

**FISCAL IMPACTS**

**Requested Authorization:** None

**Total Project Cost:** \$8.7B

**Projected Date of Completion:** 2017

**Anticipated Source of Funds:** FTA, TTF, CMAQ, NJ Turnpike, PANYNJ

**Diversity Goal:** N/A

**Related/Future Authorizations:** N/A

**Impact on Subsequent Operating Budgets:** N/A

## RESOLUTION

**WHEREAS**, NJ TRANSIT and the Port Authority of New York & New Jersey (PANYNJ) have worked to advance the Access to the Region's Core (ARC) project to double commuter rail capacity to New York by construction of two single-track tunnels under the Hudson River, an expanded Penn Station beneath 34<sup>th</sup> Street in Manhattan, a rail storage yard in Kearny, New Jersey and signal and track improvements along and adjacent to the Northeast Corridor; and

**WHEREAS**, the ARC project will create new opportunities for direct and expanded rail service for the commuter rail system to Midtown Manhattan and also build upon recent transit investments in New Jersey, including the Frank R. Lautenberg Rail Station; and

**WHEREAS**, a General Project Agreement, which amends and supplements the current MOU between the parties, is required to ensure NJ TRANSIT and the PANYNJ continue to work to advance ARC through final design and construction; and

**WHEREAS**, the General Project Agreement specifically states that NJ TRANSIT continues to be the lead agency on ARC for procurement and administration of all design and construction contracts. The General Project Agreement also says that NJ TRANSIT will be responsible for acquiring any New Jersey property necessary for the project, and that the PANYNJ will acquire any New York property required for ARC. It also provides for a 99-year rent-free lease by the PANYNJ, renewable for four 99-year terms, to NJ TRANSIT to operate the tunnel facilities and railroad system in New York. NJ TRANSIT is to own the facilities in New Jersey;

**NOW, THEREFORE, BE IT RESOLVED** the Chairman or Executive Director is authorized to execute a General Project Agreement with the Port Authority of New York & New Jersey to memorialize the parties' cooperation and formalize their roles and responsibilities as they move this project forward.

**ITEM 0902-3: ACCESS TO THE REGION'S CORE (ARC): MEMORANDUM OF AGREEMENT (MOA) BETWEEN NJ TRANSIT / NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)**

**BENEFITS**

A Memorandum of Agreement (MOA) will enable NJ TRANSIT and Amtrak to advance the ARC project efficiently and cooperatively.

The National Railroad Passenger Corporation (Amtrak) controls and operates the Northeast Corridor, and shares the goal of increasing rail capacity between New Jersey and New York. Amtrak and NJ TRANSIT will work closely during construction of ARC. This MOA defines the roles and responsibilities of Amtrak and NJ TRANSIT regarding environmental actions and impacts, property transfer, and other important matters.

**PURPOSE**

Authorization to sign a Memorandum of Agreement (MOA) between NJ TRANSIT and Amtrak that identifies terms and conditions between the two agencies regarding the Access to the Region's Core project and addresses impacts to the Northeast Corridor and rail capacity.

**ACTION (Justification: Core System Capacity)**

Staff seeks authorization to execute a Memorandum of Agreement (MOA) with the National Railroad Passenger Corporation (Amtrak) which defines the roles and responsibilities of NJ TRANSIT and AMTRAK on environmental, property transfer and other matters during the design and construction phases of the ARC project. The MOA will also authorize payment of a \$150,000 administrative fee to Amtrak for costs associated with the property transfers and establish a renewable \$1,000,000 escrow account (not to exceed \$5 million without further Board action) for environmental remediations mandated by other governmental agencies.

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

**FISCAL IMPACTS**

<b>Requested Authorization:</b>	\$150,000 plus Renewable \$1,000,000 Escrow Account
<b>Total Project Cost:</b>	\$8.7B
<b>Projected Date of Completion:</b>	2017
<b>Anticipated Source of Funds:</b>	FTA, PANYNJ, TTF, NJ Turnpike, CMAQ

**Diversity Goal:**

N/A

**Related/Future Authorizations:**

Construction Contracts, Engineering  
Contracts

**Impact on Subsequent  
Operating Budgets:**

N/A

**RESOLUTION**

**WHEREAS**, the National Railroad Passenger Corporation (Amtrak) controls and operates the Northeast Corridor, and shares the goal of increasing rail capacity between New Jersey and New York; and

**WHEREAS**, Amtrak and NJ TRANSIT will work closely during construction of Access to the Region's Core (ARC) to ensure operations continue on the Northeast Corridor during construction. The Memorandum of Agreement (MOA) defines the roles and responsibilities of Amtrak and NJ TRANSIT regarding environmental actions and impacts, property transfer, and other important matters; and

**WHEREAS**, an MOA will enable NJ TRANSIT and Amtrak to advance the Access To The Region's Core (ARC) project efficiently and cooperatively, authorize the payment of a \$150,000 administrative fee to Amtrak for costs associated with the property transfers and establish a renewable \$1,000,000 escrow account (not to exceed \$5 million without further Board action) for environmental remediations mandated by other governmental agencies;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to execute a Memorandum of Agreement (MOA) with the National Railroad Passenger Corporation (Amtrak) which defines the roles and responsibilities of NJ TRANSIT and Amtrak on environmental, property transfer and other matters during the design and construction phases of the ARC project.

**ITEM 0902-4: ACCESS TO THE REGION'S CORE: PROPOSAL STIPENDS FOR THREE DESIGN/BUILD TUNNEL CONTRACTS**

**BENEFITS**

NJ TRANSIT is utilizing a three step procurement process to obtain design/build proposals for the construction of three separate tunnel contracts as part of the Access to the Region's Core (ARC) project. The first phase will include a prequalification of the proposers to ensure they have the necessary qualifications and experience. Those that pass step one will then be asked to submit a comprehensive technical proposal outlining the means and methods of construction and design assumptions. Those that pass step two will be asked to submit a sealed fixed price bid. Due to the cost of preparing major design/build proposals, it is considered best practice in the industry to provide proposal stipends to help offset a portion of the technical proposal development costs.

The benefits of providing a proposal stipend include:

- Encourages competition and maximizes opportunity for an NJ TRANSIT cost savings
- Broadens NJ TRANSIT's opportunity for innovation by obtaining rights to multiple proposers' ideas and design concepts
- Enhances the quality of proposals
- Promotes the participation of small and disadvantaged business enterprises

**PURPOSE**

The design/build project delivery approach requires proposing teams to expend a significant effort to develop firm, fixed price bids for major projects. These proposal costs may deter highly qualified firms from competing for individual contracts, depending on market conditions and the level of perceived competition for the proposed contract. In addition, small and disadvantaged businesses may lack the resources to compete for these contracts. A stipend promotes the participation of small and disadvantaged business enterprises as subcontractors to the prime contractors.

For these reasons, it is becoming a best practice in the Design/Build industry to provide proposal stipends to help offset a portion of proposal development costs. The Federal Transit Administration has approved this approach for the Design/Build Tunnel contracts.

The requested authorization is for payment of a proposal stipend for each unsuccessful proposer that has completed all three steps of the procurement process. The stipend for each tunnel contract would depend on the size, complexity and availability of contractors, but would not exceed \$375,000 for any of the three tunnel contracts. Assuming two unsuccessful proposers for each of the three tunnel contracts, the total stipends associated with this design build procurement process would be approximately \$2.25 million. In addition to promoting competition and enhancing the quality of proposals, the payment will grant NJ TRANSIT the right to use all design concepts and ideas contained in the unsuccessful proposals.

As a requirement to receiving the stipend, the proposers will be required to place their bid documents in escrow with an escrow agent. Actual payment of the stipend will be made after contract award to the successful bidder.

**ACTION (Justification: Core System Capacity)**

Staff seeks authorization to pay stipends to each unsuccessful proposer that completes the three steps of each contract procurement by providing a responsive, responsible proposal for each of the three Design/Build Tunnel Projects. The successful proposer will not receive a stipend. Based on the assumption of three bidders for each of the three procurements, the stipends will total \$2,250,000 maximum.

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

**FISCAL IMPACTS:**

<b>Requested Authorization:</b>	\$2,250,000 (based on receipt of unsuccessful proposals for each of the three tunnel contracts)
<b>Projected Date of Completion:</b> (Receipt of Bids)	2009 - 2010
<b>Anticipated Source of Funds:</b>	TTF, PANYNJ, FTA, NJ Turnpike, CMAQ
<b>Diversity Goal:</b>	N/A
<b>Related/Future Authorizations:</b>	N/A

## RESOLUTION

**WHEREAS**, NJ TRANSIT will be requesting Design Build proposals for construction of the three tunnel contracts as part of the Access to the Region's Core Project; and

**WHEREAS**, it is considered best practice in the industry to provide proposal stipends to help offset a portion of proposal development cost; and

**WHEREAS**, providing a stipend will encourage competition, promote the participation of small and disadvantaged business enterprises, broaden opportunity for innovation, and enhance the quality of proposals;

**WHEREAS**, NJ TRANSIT will obtain the right to use all design concepts and ideas contained in the unsuccessful proposals;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to set the stipend level for each contract not exceed \$375,000 and to pay such stipend to each unsuccessful proposer that provides a responsive, responsible proposal under the Design/Build three step process for the three tunnel contracts. Based on the assumption of three bidders for each of the three procurements, the stipends will total \$2,250,000 maximum.

**ITEM 0902-5: NJ TRANSIT GRANT PROGRAMS SUPPORTING COORDINATED LOCAL TRANSPORTATION FOR SENIOR CITIZENS, PERSONS WITH DISABILITIES, RURAL AND ECONOMICALLY DISADVANTAGED RESIDENTS**

**BENEFITS**

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

**PURPOSE**

NJ TRANSIT's Capital Planning and Programs department administers the state-funded Senior Citizen and Disabled Resident Transportation Assistance Program, as well as a variety of Federal programs funded through the Federal Transportation Administration (FTA): Transportation for Elderly Persons and Persons with Disabilities (Section 5310), Rural and Small Urban Areas (Section 5311), the Rural Transit Assistance Program (RTAP), the Jobs Access and Reverse Commute Program (Section 5316), and the New Freedom Program (Section 5317) as well as planning efforts under the FTA United We Ride program. In addition, from time to time local shuttle initiatives funded through a variety of federally-funded sources, including specially-dedicated congressional appropriations and the Congestion Mitigation and Air Quality (CMAQ) and Large Urban Areas (Section 5307) and Major Capital Investments (Section 5309) programs, are applied for and administered by NJ TRANSIT on behalf of designated local providers. These programs assist a variety of private non-profit organizations, counties, various municipalities, county improvement authorities and NJ TRANSIT in meeting the mobility needs of New Jersey's senior citizens, persons with disabilities, and transportation disadvantaged and rural residents. Board authorization is sought to implement these programs for Fiscal Year 2009 (FY2009). A description of each Program is set forth in Exhibit A.

**ACTION (Justification: Mandate)**

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



**Anticipated Source of Funds:**

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

**Diversity Goal:**

Section 5310

Lowest bidder will be requested to make  
best reasonable effort

Section 5307, 5311, 5316 and 5317

10%

**Related/Future Authorizations:**

NA

**Impacts on Subsequent  
Operating Budgets:**

Operating funds used for FTA Section  
5311 and FTA Section 5307 (East  
Windsor) projects. Based upon federal  
funds available a five percent annual  
growth not to exceed \$65,000 is  
anticipated.

## RESOLUTION

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

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

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

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

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

**WHEREAS**, the FTA makes available funds, under specially-dedicated Congressional appropriations, Section 5317 New Freedom, Congestion Mitigation Air Quality (CMAQ), Section 5307 Large Urban Cities and Section 5309 Major Capital Investments, for the provision of operating,

planning assistance and/or capital assistance with various matches provided by state, local agencies or toll credit for capital projects or equipment and/or local transit services that address the needs of community transit services; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is hereby authorized to execute, extend or modify contracts to implement the FY2009 Senior Citizen and Disabled Resident Transportation Assistance Program as set forth in Exhibit B for a total program amount of \$33,018,000, subject to the availability of funds; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is authorized to execute all appropriate agreements and contracts and to take all other steps necessary to implement the FY2009 FTA Section 5311 Rural and Small Urban Areas program, as set forth in Exhibit C, in the amount of \$3,979,950 which includes \$2,750,275 in federal funds and \$1,229,675 as the NJ TRANSIT share of the local match, subject to the availability of funds; and

**BE IT FURTHER RESOLVED**, that the Chairman or Executive Director is hereby authorized to execute all appropriate agreements and contracts and to take all other steps to implement the FY2009 FTA Section 5311(b)(3) Rural Transit Assistance Program in an amount up to \$96,108 in federal funds, subject to the availability of funds; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is hereby authorized to execute all appropriate agreements and leases to implement the FY2009 FTA Section 5310 Transportation for Elderly Persons and Persons with Disabilities program at a cost not to exceed \$4,800,000 which includes \$3,840,000 in federal funds and \$960,000 as the NJ TRANSIT share of the local match, subject to the availability of funds; and

**BE IT FURTHER RESOLVED**, that the Chairman or Executive Director is hereby authorized to execute all appropriate agreements and contracts and to take all other

steps to implement the FY2009 FTA Section 5316 Jobs Access and Reverse Commute (JARC) Program at a cost not to exceed \$6,318,409 which includes \$5,318,409 in federal funds and \$1,000,000 in state funds from the New Jersey Department of Human Services, subject to the availability of funds; and

**BE IT FURTHER RESOLVED**, that the Chairman or Executive Director is hereby authorized to execute all appropriate agreements and contracts and to take all other steps to implement any specially dedicated Congressional appropriations, FTA Section 5317 New Freedom, FTA Section 5307 Large Urban Cities, FTA Section 5309 Major Capital Investments and Congestion Mitigation Air Quality (CMAQ) local projects under the FY09 budget at a cost not to exceed \$8,000,000, subject to the availability of funds; and

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

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

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

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

The **FTA Section 5311 Rural and Small Urban Area Program** provides operating, administrative and capital assistance for public transportation services in small urban and rural areas in New Jersey pursuant to a population-based formula. Board approval of the FY2009 Program will allow 13 Section 5311 Projects to continue operation. Four additional designated rural areas are eligible for funding. The Section 5311 program is shown in Exhibit C.

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

The **FTA Section 5310 Transportation for Elderly Persons and Persons with Disabilities Program** provides Federal funds to States for the purchase of vehicles and related equipment for private non-profit organizations and designated public bodies to provide transit services to senior citizens and persons with disabilities. It also allows for the funding of mobility management projects that further coordination of services under

EXHIBIT A  
PAGE 2 OF 2**DESCRIPTION OF LOCAL PROGRAMS ADMINISTERED BY NJ TRANSIT  
ON BEHALF OF COUNTIES, MUNICIPALITIES, AUTHORITIES  
AND PRIVATE NON-PROFIT ORGANIZATIONS**

the United We Ride effort. The Federal funds available under this program can be used to pay up to 80 percent of the cost of vehicles. Since assuming administration of the program in 1979, NJ TRANSIT has purchased over 1,300 vehicles for non-profit organizations and designated coordinated public bodies in all 21 counties. Reflecting FTA regulations outlined in the latest program circular, all local projects selected must meet a need identified in a locally developed human services-public transit transportation coordination plan. It is anticipated a final application for vehicles, related equipment and mobility management projects will be submitted to the FTA in spring 2009.

**The FTA Section 5316 Jobs Access and Reverse Commute (JARC) Program** provides funds for operating and capital expenses for transit services that target employment transportation. Through a planning process initiated by the Metropolitan Planning Organizations (MPOs), applications for the FY2009 program will be solicited and reviewed. NJ TRANSIT will then prepare and submit a statewide application to the FTA for funds. A dollar for dollar match is required under this program. Historically match dollars have come from local sources. In addition, the NJ Department of Human Services has through a Memorandum of Understanding provided an additional \$1 million to NJ TRANSIT towards meeting the needs of this program. Reflecting FTA regulations outlined in the latest program circular, all local projects selected must meet a need identified in a locally developed human services-public transit transportation coordination plan. It is anticipated a final application for vehicles, related equipment and mobility management projects will be submitted to the FTA in spring 2009.

**The FTA Section 5317 New Freedom (NF) Program** provides funding for capital and operating expenses that support new public transportation services beyond those required by the Americans with Disabilities Act (ADA) as well as new public transportation alternatives beyond those required by the ADA designed to assist individuals with disabilities with accessing transportation services especially transportation to and from jobs and employment services. Reflecting FTA regulations outlined in the latest program circular, all local projects selected must meet a need identified in a locally developed human services/public transit transportation coordination plan. It is anticipated a final application for vehicles, related equipment and mobility management projects will be submitted to the FTA in spring 2009.

In addition, in FY2009 it is anticipated that various **Local Community Transit Initiatives** will be funded through specially-dedicated Congressional appropriations, Sections 5307, Section 5309 and CMAQ funding that will require the purchasing of capital equipment and/or the contracting for operating and/or planning services for local transportation services.

**SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE  
PROGRAM FY2009**

<b>COUNTY</b>	<b>FY 2008 ALLOCATION</b>	<b>FY 2009 ALLOCATION</b>
Atlantic	\$ 967,700	\$ 864,411
Bergen	2,805,060	2,509,038
Burlington	1,512,844	1,349,941
Camden	1,776,243	1,585,690
Cape May	627,776	566,919
Cumberland	627,776	566,919
Essex	2,702,149	2,410,809
Gloucester	841,283	752,150
Hudson	1,992,966	1,779,340
Hunterdon	627,776	566,919
Mercer	1,233,669	1,100,160
Middlesex	2,591,703	2,312,581
Monmouth	2,171,828	1,939,312
Morris	1,597,662	1,425,717
Ocean	2,805,060	2,509,038
Passaic	1,669,708	1,490,267
Salem	627,776	566,919
Somerset	957,068	853,185
Sussex	627,776	566,919
Union	1,997,201	1,782,147
Warren	627,776	566,919
<b>Total Counties</b>	<b>31,388,800</b>	<b>28,065,300</b>
<b>NJ TRANSIT</b>	<b>5,539,200</b>	<b>4,952,700</b>
<b>TOTAL</b>	<b>\$ 36,928,000</b>	<b>\$ 33,018,000</b>

100% State funds from the Casino Revenue Tax funds.

**EXHIBIT C**  
**PAGE 1 OF 1**

**SECTION 5311 RURAL AND SMALL URBAN AREAS PROGRAM**  
**PROJECTED FY2009**

	(A) FEDERAL	(B) STATE ****	TOTAL BUDGET (A+B)	(C) LOCAL *****	TOTAL PROGRAM (A+B+C)
<b>NORTHERN REGION</b>					
Morris*	\$ 263,420	\$ 131,710	\$ 395,130	\$ 131,710	\$ 526,840
Passaic (West Milford)	75,334	37,667	113,001	37,667	150,668
Sussex	408,746	204,373	613,119	204,373	817,492
Warren	257,221	123,421	380,642	123,421	504,063
<b>CENTRAL REGION</b>					
Hunterdon	317,659	158,830	476,489	158,830	635,319
Mercer **	--	--	--	--	--
Middlesex **	--	--	--	--	--
Monmouth	124,314	61,482	185,796	61,482	247,278
Ocean **	--	--	--	--	--
Somerset	89,941	32,957	122,898	32,957	155,855
<b>SOUTHERN REGION</b>					
Atlantic	226,000	96,910	322,910	96,910	419,820
Burlington	299,328	93,790	393,118	93,790	486,908
Camden	15,755	7,878	23,633	7,878	31,511
Cape May	72,469	30,868	103,337	30,868	134,205
Cumberland	305,343	125,812	431,155	125,812	556,967
Gloucester	124,601	55,580	180,181	55,580	235,761
Salem ***	170,144	68,397	238,541	68,397	306,938
<b>TOTAL</b>	<b><u>\$ 2,750,275</u></b>	<b><u>\$ 1,229,675</u></b>	<b><u>\$ 3,979,950</u></b>	<b><u>\$ 1,229,675</u></b>	<b><u>\$ 5,209,625</u></b>
Operating	\$ 2,386,835	\$ 1,184,245	\$ 3,571,080	\$ 1,184,245	\$ 4,755,325
Non-Operating (Administration)	\$ 267,260	\$ 33,407	\$ 300,667	\$ 33,407	\$ 334,074
Capital	\$ 96,180	\$ 12,023	\$ 108,203	\$ 12,023	\$ 120,226

- \* Morris County service contracted as part of NJ TRANSIT Private Carrier Affairs Program.  
 \*\* Mercer, Middlesex and Ocean Counties have limited eligible rural areas but no active projects.  
 \*\*\* Salem County is currently planning service and has requested funding. No service provided at this time.  
 \*\*\*\* State match provided by NJ TRANSITL  
 \*\*\*\*\* Local match provided by local grantee and not reflected in Board authorization.

# **CONSENT CALENDAR**

**ITEM 0902-6: PENN STATION NEW YORK 31<sup>st</sup> STREET ENTRANCE:  
AMENDMENT TO CONSTRUCTION MANAGEMENT CONTRACT**

**BENEFITS**

In September 2002, NJ TRANSIT opened the 7<sup>th</sup> Avenue Concourse in Penn Station New York, providing NJ TRANSIT customers with new waiting areas, restrooms, ticketing, and other amenities. The 31<sup>st</sup> Street entrance will give customers a direct link to the 7<sup>th</sup> Avenue Concourse from street level and will improve pedestrian circulation within the station complex.

**PURPOSE**

The construction contract has been delayed due to redesign caused by differing site conditions. The construction management contract amendment will continue support during the extended construction timeframe.

The original construction management contract was awarded as a Task Order Contract to Bovis Lend Lease (now Bovis Lend Lease LMB, Inc.) of New York, New York, through a competitive process.

**ACTION (Justification: Core Capacity)**

Staff seeks authorization to amend the contract (No. 06-063C) with Bovis Lend Lease LMB, Inc. (formerly Bovis Lend Lease) of New York, New York, for construction management services in the amount of \$230,085, for a total contract task authorization of \$730,085, subject to the availability of funds.

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

**FISCAL IMPACTS**

**Requested Authorization:**

Bovis Lend Lease LMB, Inc.	This Authorization	\$	230,085
	Total Authorization	\$	730,085

**Total Project Cost:** \$ 18,244,000

**Projected Date of Completion:** November 2009

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

**Diversity Goals:** NA

**Related/Future Authorizations: None**

**Impacts on Subsequent**

**Operating Budgets: \$200,000 annually**

**RESOLUTION**

**WHEREAS**, the new Penn Station New York 31<sup>st</sup> Street Entrance will provide customers with a direct, fully accessible connection from street level to the 7<sup>th</sup> Avenue Concourse; and

**WHEREAS**, Bovis Lend Lease LMB, Inc. (formerly Bovis Lend Lease) was previously selected through a competitive procurement process to provide construction management services for the Penn Station New York 31<sup>st</sup> Street Entrance project;

**WHEREAS**, during construction certain differing site conditions were discovered that required the scope of work to be modified, resulting in an increase to the construction schedule and cost;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to amend the contract (No. 06-063C) with Bovis Lend Lease LMB, Inc. (formerly Bovis Lend Lease) of New York, New York, for construction management services in the amount of \$230,085, for a total contract task authorization of \$730,085, subject to the availability of funds.

**ITEM 0902-7: NEWARK BROAD STREET STATION ADA AND CAPACITY IMPROVEMENTS: AMENDMENT TO CONSTRUCTION CONTRACT**

**BENEFITS**

NJ TRANSIT is nearing completion of accessibility improvements at Newark Broad Street Station and expanding operational capacity of its Montclair-Boonton, Morristown and Essex (M&E) and Gladstone Branch rail lines.

The Newark Broad Street Station accessibility and capacity improvements include new elevators, ramps and full-length high-level platforms to provide barrier-free access to the station and bring this facility into full compliance with the Americans with Disabilities Act (ADA) as well as improving platform access from all three tracks and expanding operating capacity on the rail lines serving this station.

**PURPOSE**

This authorization request is for an amendment to construction contract (No. 04-089) with Conti Enterprises, Inc., to provide for changes and extension of contract time due primarily to differing site conditions.

The original construction contract was awarded to Conti Enterprises, Inc., through a competitive process.

**ACTION (Justification: Capacity Improvement)**

Staff seeks authorization to amend the construction contract (No. 04-089) with Conti Enterprises, Inc., of South Plainfield, New Jersey, for completion of the construction of ADA accessibility and capacity improvements at Newark Broad Street Station currently underway at a cost not to exceed \$475,000, for a total contract authorization of \$53,848,700, subject to the availability of funds.

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

**FISCAL IMPACTS**

**Requested Authorization:**

Conti Enterprises, Inc.	This Authorization	\$ 475,000
	Total Authorization	\$ 53,848,700

**Total Project Cost:** \$ 79,518,000

**Projected Date of Completion:** December 2008 – Substantial completion

March 2009 – Weather-sensitive work including: concrete topping platforms, eastbound platform tactile edge (permanent), and glass enclosure at island platform stairs

**Anticipated Source of Funds:** Federal Transit Administration  
Transportation Trust Fund

**Diversity Goal:** 21% DBE

**Future Related Authorizations:** None

<b>Impacts on Subsequent</b>	\$ 720,000	Annual operating/maintenance costs
<b>Operating Budgets:</b>	\$ 60,300	Projected annual rental income

**RESOLUTION**

**WHEREAS**, NJ TRANSIT is improving the accessibility of the Newark Broad Street Station and expanding operational capacity of its Montclair-Boonton; Morristown and Essex (M&E); and Gladstone Branch rail lines; and,

**WHEREAS**, the Newark Broad Street Station accessibility and capacity improvements include new elevators, ramps and full-length high-level platforms which will provide barrier-free access to the station and bring this facility into full compliance with the Americans with Disabilities Act (ADA) as well as improve platform access from all three tracks and expand operating capacity on the rail lines serving this station; and

**WHEREAS**, upon completion of a competitive procurement process, it was determined that Conti Enterprises, Inc., of South Plainfield, New Jersey, was the lowest responsive and responsible bidder; and

**WHEREAS**, during construction certain differing site conditions were discovered and contract scope of work was modified, both of which resulted in increased costs;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman or Executive Director is authorized to amend the construction contract (No. 04-089) with Conti Enterprises, Inc., of South Plainfield, New Jersey, for completion of the construction of ADA accessibility and capacity improvements at Newark Broad Street Station currently underway at a cost not to exceed \$475,000, for a total contract authorization of \$53,848,700, subject to the availability of funds.

**ITEM 0902-8: SELECTION OF SPECIAL COUNSEL**

**BENEFITS**

Engaging outside legal counsel provides efficiencies and flexibility in the assignment of legal services and complements the services provided by the Transportation, Construction and Condemnation Section (TC&C) of the New Jersey Division of Law. The Attorney General makes new assignments through individual retention letters.

**PURPOSE**

NJ TRANSIT requires significant and varied legal expertise in support of its day-to-day operations. In December 2004, NJ TRANSIT selected LCOR as the Master Developer for the Hoboken Terminal & Yard Development. During the negotiation and execution of the Memorandum of Understanding and Master Development Agreement, DeCotiis, Fitzpatrick, Cole & Wisler served as Special Counsel and has continued to act as Special Counsel for the Hoboken Terminal redevelopment, assisting NJ TRANSIT in maximizing non-farebox revenue associated with the Hoboken Terminal property.

As part of the Hoboken Ferry terminal restoration, DeCotiis, Fitzpatrick, Cole & Wisler has been representing NJ TRANSIT in negotiating a new long-term lease with the Port Authority of New York and New Jersey ("Port Authority") for the operation of ferry service at the restored slips within the Ferry Terminal.

The Attorney General has designated Decotiis, Fitzpatrick, Cole & Wisler as Special Counsel to NJ TRANSIT for the Hoboken Terminal development. This authorization enables the Attorney General in conjunction with NJ TRANSIT to continue to allocate legal service requirements between the Division of Law and Special Counsel based on the specific expertise required and the availability of experienced staff.

**ACTION**

Staff seeks authorization to continue to compensate Decotiis, Fitzpatrick, Cole & Wisler as Special Counsel with respect to the Hoboken Terminal development at an amount not to exceed \$75,000, for a six month term.

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

**FISCAL IMPACTS**

<b>Requested Authorization:</b>	\$ 75,000
<b>Anticipated Source of Funds:</b>	Operating Budget
<b>Projected Date of Completion:</b>	August, 2009
<b>Diversity Goal:</b>	N/A

**RESOLUTION**

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

**WHEREAS**, the Attorney General has previously designated Decotiis, Fitzpatrick, Cole & Wisler as Special Counsel; and

**WHEREAS**, NJ TRANSIT would continue to benefit from the use of Special Counsel to assist in real estate development and leasing activities relating to the Hoboken Terminal property;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to continue to compensate Decotiis, Fitzpatrick, Cole & Wisler as Special Counsel with respect to the Hoboken Terminal development at an amount not to exceed \$75,000, for a six month term, subject to the availability of funds.

**Art Silber (Chief)**

Art is the Mass Transit Tunnel's project chief, and has 34 years experience in transportation projects. Art previously served as the Assistant Commissioner for Capital Projects at NJ DOT. He has managed some of the most critical transportation projects in the state, and led the agency's annual \$1 billion capital program, and 1,000 employees. After managing the 20.5 mile extension of I-287 to New York State, he managed many major bridge and tunnel projects at NJ DOT and NJ TRANSIT. He joined NJ TRANSIT in 2003. .

**Howard Sackel (Deputy Chief)**

Howard serves as the deputy chief of the project. He has more than 35 years of experience in leading major transit capital projects nationwide. Prior to joining the ARC Team, he served as deputy program executive for the Long Island Rail Road's East Side Access project, as well as the Miami-Dade Metrorail project.

**Richard Flanagan (Underground Manager)**

Dick is an international leader in tunnel design and construction, advancing projects in Taiwan, Hong Kong, Australia, Denmark, and most recently 7 miles of tunnels in Singapore.

**Mala Ciancia (Mala See-An-Sia) (Chief Geologist)**

Mala is the chief geologist for the project. She has over 27 years of experience on projects including the U.S. Department of Energy's Yucca Mountain Nuclear Storage Repository.

**Ron Martin (Procurement)**

Ron will lead the project's procurement activities. Ron has been with NJ TRANSIT for over 15 years, completing a number of large engineering and construction projects. He is well suited for these contracts and advanced both tunnel professional services contracts through the procurement phase several years ago.

**Hanan Kivett (Architect & Facilities Manager)**

Hanan is the project's chief architect. He held the same position on the Amtrak's Union Station Project in Washington and has designed stations for the LA Metro and Bay Area Rapid Transit. He is highly regarded amongst his peers and a leader in his field.

**Richard Fischer (Deputy Project Manager)**

Rich, the deputy project manager for the design team, has helped develop and manage critical time sensitive transportation projects in the region, including the Routes 4 and 17 interchange and the Atlantic City Tunnel.

**Sanja Zlatanic (Son-Ya Z-Lot-A-Nick) (Structures Manager)**

Sanja is the structural engineering manager for the design team and has worked on such major projects as the rehabilitations of Amtrak's East River Tunnels and the Brooklyn Battery Tunnel and design of the MTA #7 Line Extension and tunnels several blocks from our project.

**Jack Brendlen (Real Estate)**

Jack has more than 30 years experience in real estate acquisition at both NJ Transit and the Port Authority. He helped manage property acquisitions for the Hudson-Bergen Light Rail.

**Kevin Rittenbury (Contracts)**

Kevin is responsible for managing project contracts and claims. He spent over 26 years as a Senior Deputy Attorney General and is knowledgeable in construction contracts and is a real estate acquisition expert who is often consulted by many other DAG's.

**Steve Sabo (Construction Management)**

Steve is leading the construction management team and has 39 years of experience in heavy construction. He has previously served as SEPTA's chief engineer and worked most recently at the project manager on the Dulles Project.

**Richard Anderson (Railroad)**

Rick has helped manage major projects for NJ TRANSIT's rail operations, including Secaucus Junction and the Trenton Transit Center Rehabilitation. He will be the liaison the tunnel project activities and NJ TRANSIT Railroad Operations Unit.

**Mariette Rajan (Mariette Ra-John) (Bridges)**

Mariette is an accomplished structural engineer and project manager with more than 22 years of experience in bridge design and rehabilitation. She previously work on Hudson Bergen Light Rail and the New York City Transit Union Square Station projects.

**Ulrich Lemke (Ul-Rick Lem-Key) (Underground Manager)**

Ulrich manages the design of the project's tunnels and underground facilities. Ulrich helped build the Atlanta Rapid Transit System since its inception, managing the early agency expansion to prepare for the 1996 Summer Olympics. Recently, Ulrich managed the 15-mile major expansion of the growing Atlanta system.

**Mewburn Humphry (Quality Assurance)**

Mewburn leads the tunnel's quality assurance efforts. He recently was the quality assurance manager for the Downtown Restoration Program at the World Trade Center and has over 20 years experience in quality assurance and engineering.

**Chris Dixon (Construction Management)**

Chris is deputy construction manager. Over three decades, Chris has managed construction projects for the L.A. Metro and the San Jose BART Project, as well as well as major projects in Albania, Turkey, and Oman. Many of these project included bored tunnels and large caverns.

**Kim Nguyen (Kim Gwinn) (Environmental Analysis)**

Kim is the project's environmental compliance officer, with almost 20 years of experience in the field and a masters degree in chemical engineering.

**Ricardo Cardentey (Project Administration)**

Rick leads the financial and project controls effort for design team. He has held similar positions for the reconstruction of the 1 & 9 Subway and the extension of the No.7 Line.

**Wanda Webster Stansbury (Workforce Development)**

Wanda is leading the workforce development plan effort, and has over 30 years of experience with state agencies in community based transportation planning.

**Richard Gramlich (Engineering & Construction)**

Rich is leading the tunnel's design and construction engineering efforts. Among the large projects he has built are the Route 9 Edison Bridge, the Route 21 Viaduct in Newark and he was the program manager for the Atlantic City and Trenton tunnels.

**Suzanne DiGironomo (Architectural Rendering/3D Modeling)**

Suzanne helps lead the development of architectural renderings and 3D models for the project. She was the 2006 recipient of the Tucker Design Award for her work on the Brooklyn Battery Tunnel ventilation building.

**Greg Jennifer (DBE Compliance)**

Greg leads the DBE compliance effort for the project. He worked on Hudson-Bergen Light Rail and other major projects, and also served as DBE Administrator for New York City Transit.

**Harold Levitt (Security)**

Harold is leading the safety and security effort. He managed PATH's Emergency Ventilation Upgrade and is Secretary of the National Fire Protection Act's passenger rail committee.

**Tom Martin (Construction)**

Tom will oversee construction. With more than 30 years experience, he has helped construct the Kearny Connection, the Lautenberg Station, and the Main Bergen Line connection.

**Gerry Gaeta (Gerry Gate-A) (Design)**

Gerry leads the design effort. He has 28 years of design experience with the Port Authority, including building the Airtrain project at JFK Airport.

**MaryAnn Mason (3rd Party Coordination)**

Mary Ann helps lead interagency coordination. She was deputy project manager for the consultant team that advanced the project's environmental impact statement.

**Bob Medina (Survey)**

Bob is part of the design team and has more than 34 years experience overseeing survey work on major engineering projects, both domestically and internationally.

**Douglas Smith (Budget)**

Doug is the director of budgeting and brings more than 28 years experience to the project. Doug holds a master's degree in regional planning from Harvard University.

NATIONAL RAILROAD PASSENGER CORPORATION

400 West Hudson Avenue, Newark, NJ 07102  
201-961-6000

Alex Kummant  
President and Chief Executive Officer



April 28, 2008

Mr. Tom Schulze  
NJ TRANSIT ARC Project Director  
New Jersey Transit Corporation  
One Penn Plaza East  
8<sup>th</sup> Floor  
Newark, NJ 07015

Dear Mr. Schulze,

Below are comments by the National Railroad Passenger Corporation (Amtrak) to the 2008 Supplemental Draft Environmental Impact Statement (SDEIS) regarding the Access to the Region's Core (ARC) project.

Amtrak has cooperated, to the extent requested, in the planning for the ARC project. When completed, this project will be of very real public benefit for increased trans-Hudson commuter rail passenger service between New Jersey and mid-town Manhattan, which service can reasonably be expected to be reliable, stable and long-term. The project will allow NJ TRANSIT to expand its services providing "one-seat rides" to many more originating points throughout much of the State, substantially increasing New Jersey's mobility choices. There are, however, several aspects of the project that Amtrak feels are of critical importance and therefore merit comment here.

I. As Amtrak stated in its 4-09-07 comments to the DEIS, failure to construct two short connections into Penn Station in Manhattan from the proposed ARC tunnels constitutes, from Amtrak's perspective, a breach in long established goals to expand Northeast Corridor operational capability. Considering the very substantial, and even unprecedented, projected increase in the number of passenger trains operating over the entire Northeast Corridor (as documented by all NEC users in Phase I of the Northeast Corridor Master Plan), and with such projected increases centered upon travel to Manhattan, Amtrak has real concerns that the existing NEC trans-Hudson rail tunnels will prove inadequate to sustain operations in the future. Amtrak further regrets the loss of numerous advantages the joint connection to Penn Station would have provided to security, operational redundancy, and maintenance flexibility to minimize service outages. The ARC tunnels, now providing sole benefit to NJ TRANSIT services, can no longer be considered part of a broader integrated Penn Station terminal system intended to accommodate day-to-day requirements under widely varying conditions and very large train volumes. Consequently, Amtrak has identified certain areas for improvement, including a potential 5<sup>th</sup> trans-Hudson tunnel, which it believes will become necessary to construct in lieu of the connecting ARC tunnels in Manhattan as region-wide

*Mr. Tom Schulze  
April 28, 2008  
Page 2*

growth exceeds existing Northeast Corridor capacities. Amtrak has requested that NJ TRANSIT's Project designs for ARC not preclude such future improvements.

II. The second major issue for Amtrak is that of slots, i.e., the number of trains that can operate through the NEC tunnels and how the railroads share the available slots. Amtrak believes the SDEIS operational analysis does not realistically account for growth in intercity corridor services and state-supported services such as Pennsylvania's "Keystone Corridor" trains and, in fact effectively precludes expansion of them during the critical morning and afternoon peak periods. This situation is entirely contrary to the Coalition of Northeastern Governors (CONEG) 2008 resolution calling for the "doubling of all NEC services in the next 25 years" to help attain region-wide mobility and congestion reduction goals. Amtrak has identified certain adjustments to the current Operating Agreement structure which, if agreed to by NJ TRANSIT, would enable both parties to achieve higher service levels. While such agreements are not normally part of an environmental documentation, Amtrak believes changes to them are both critical and relevant to achieving the environmental goals established by the Project.

Despite the misgivings listed above, Amtrak has supported advancing improvements to certain key support facilities e.g., Portal Bridge, including reprioritizing substantial future capital funds at the expense of other projects and dedicating Amtrak professional staff to the ARC Project to enable achievement of its goals in the time frame envisioned by NJ TRANSIT. We are prepared to continue with these efforts, but are seeking first NJ TRANSIT's commitment and partnership to ensure that future NEC improvements will be made without impinging on ARC-related infrastructure and with amendments to the existing Operating Agreement to permit expansion of service for both parties as a condition of our support.

Amtrak appreciates the opportunity to comment, and in light of our concerns, urges expanded involvement by the Federal Railroad Administration in local rail projects with respect to their potential intercity and interstate benefits and impacts.

Sincerely,



Alex Kummant  
*President and Chief Executive Officer*

The following notice was posted in December.

**ATTENTION: Effective December 23, 2008 Colorado Railcar Manufacturing ceased its business operations. Colorado Railcar Manufacturing has a major liquidity problem, and its lenders have a secured position in the assets of the company. The company is in the process of liquidation. The company has no employees effective December 31, 2008.**

**Larry E. Salci  
President & CEO**

Since Colorado Railcar was the only company manufacturing FRA compliant DMUs, seeking another source will take considerable time and effort.

However, this is giving NJ Transit a good excuse to remove all references to DMUs from the DEIS for the Northern Branch Corridor project. Thereby, NJ Transit will be selecting the extension of the HBLR as the build alternative.

Many people in Tenafly say they do not want any rail service at all because of the noise and air pollution that they will create. But, nearly everyone I have spoken with, who understands the difference, begins to like the idea of getting Light Rail Transit service to Tenafly. Having the DMU included as an alternative is confusing to both the press and the public.

Furthermore, the DEIS, as it now stands, is defective because it fails to include the main reason NJ Transit wanted to run DMUs on the Northern. Your predecessors bowed to political pressure by those who wanted to change the route of HBLR to terminate in Xanadu.

Someone at NJ Transit actually changed the plans of the Tonnelle Avenue Station to provide a link going to Xanadu. In the attached illustration, see the note (Abutments not built). As far as I have been able to determine, this significant change to the HBLR routing was never presented to the Board.

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For an example of a confused person, read the following.

**FROM: The Tenafly Newsletter (Underlines and Bolds added by responder.)**

“Disadvantages of DMUs as compared with electrically powered light rail vehicles include higher energy costs per passenger for large traffic volumes, dependence on fossil fuels, the inconvenience of having to maintain fueling facilities and refuel the vehicles, increased air pollution, greater audible noise output, slower acceleration and higher maintenance costs.”

**THE RESPONSE: From a confused resident:**

**This is the worst thing that can happen to Tenafly !!!!!!!!!**

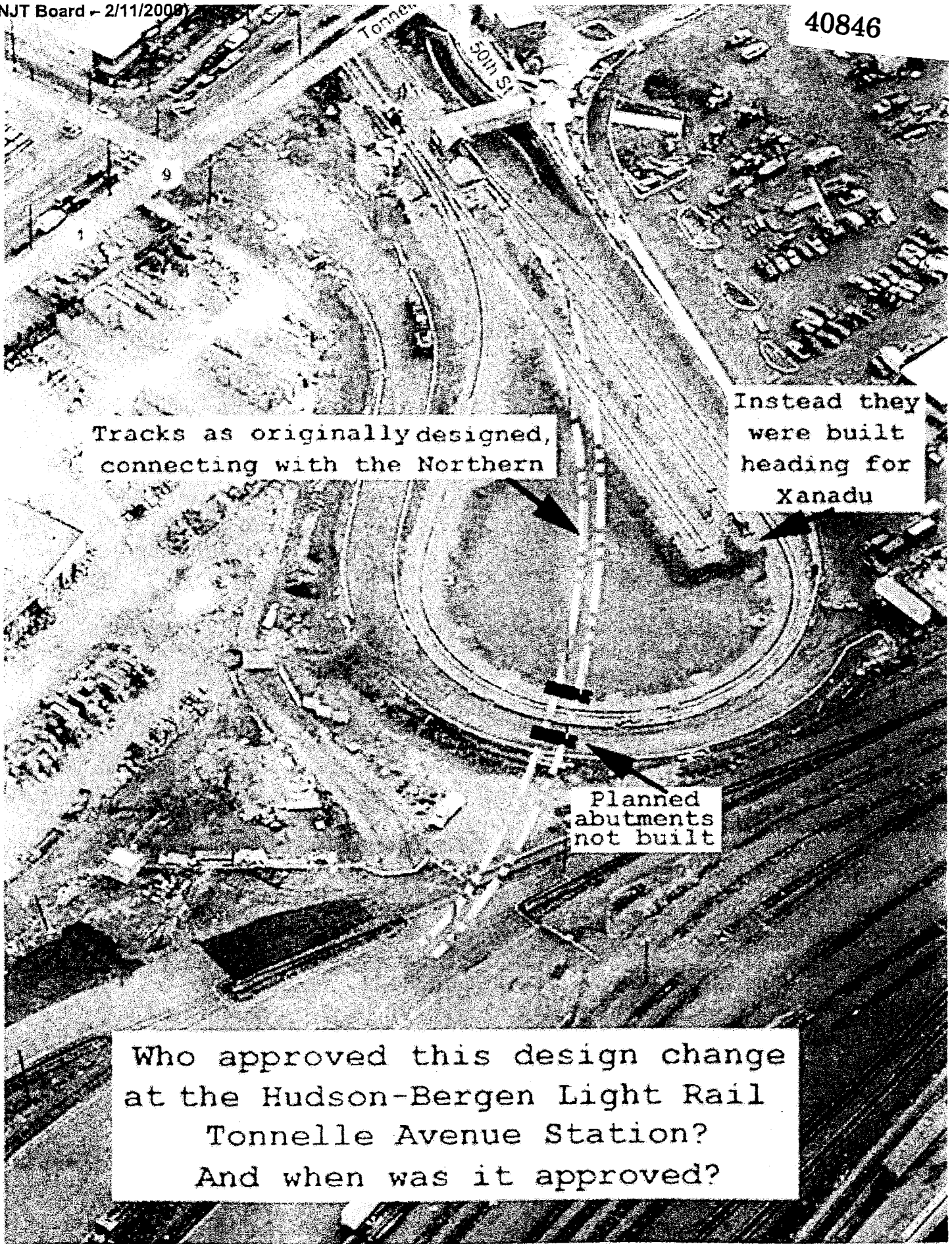
**1) Noise!**

**2) Air pollution !!**

**SAY NO !! to our Mayor and Council ! voice your NO !! BY WRITING TO THE MAYOR.**

Albert F. Cafiero  
Transportation Advisor to Senator Gerald Cardinale

[wantsrail@verizon.net](mailto:wantsrail@verizon.net) (201.871.1218)



Tracks as originally designed,  
connecting with the Northern

Instead they  
were built  
heading for  
Xanadu

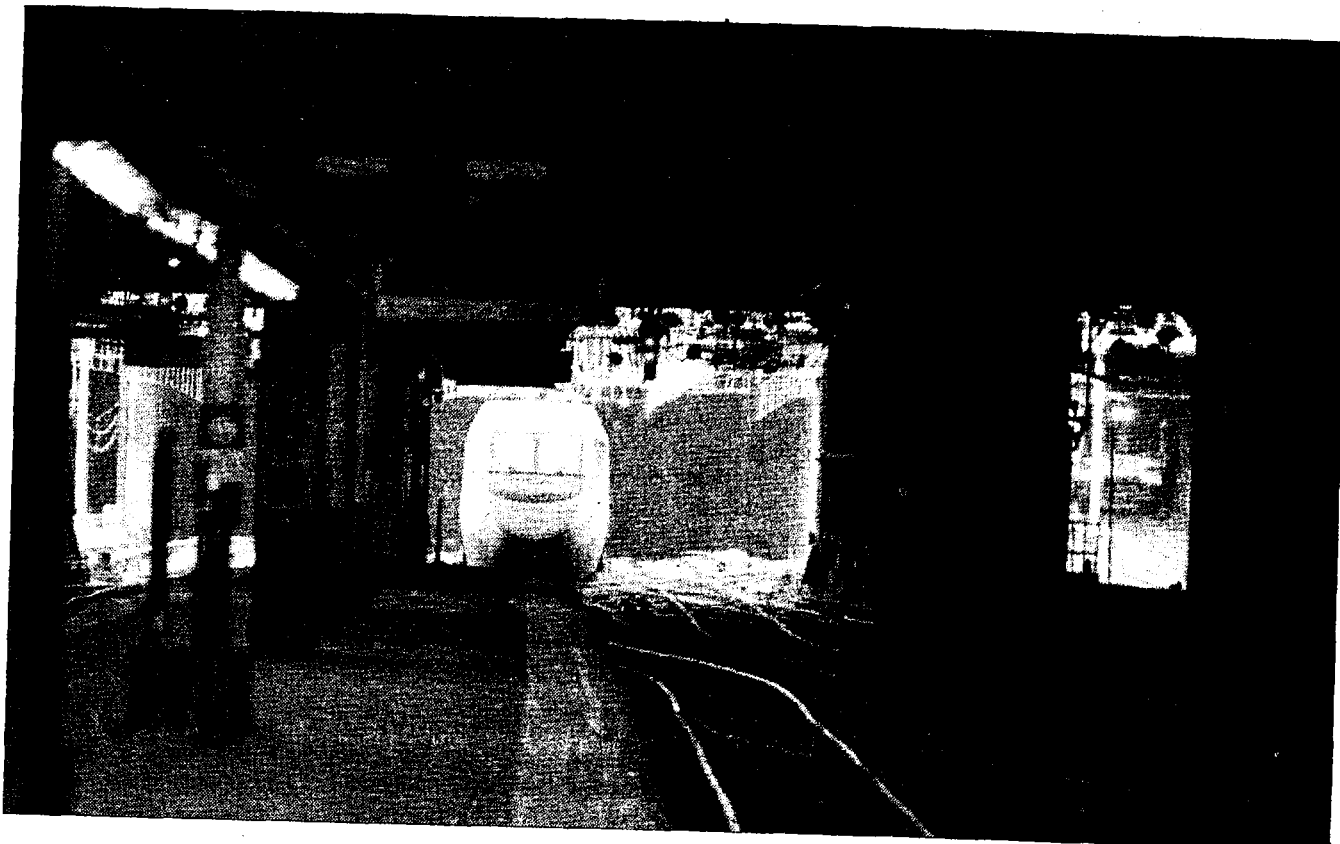
Planned  
abutments  
not built

Who approved this design change  
at the Hudson-Bergen Light Rail  
Tonnelle Avenue Station?  
And when was it approved?

The Sunday Star-Ledger, February 1, 2009, Section One Page 19  
Guest Blogger Headline

“Rail tunnel plan to N. Y. is a dead-ender”

--- THE PLANNED RAIL TUNNEL IS A DEAD-ENDER ---



The planned rail tunnel from New Jersey to Manhattan won't connect with Amtrak trains that leave from New York's Penn Station. ASSOCIATED PRESS

tion without tearing up the surface, going transportation secretary should be cond...

Some believe that the point of the headline was that the new tunnel is a dead-end for Amtrak and New Jersey without a extension to the east. The possiblity of crossing the water tunnel in the future is questionable..

The caption to the picture from the Assocaited Press in the print editionStar-Ledger, not in the on-line blog, says “The planned rail tunnel won't connect with Amtrack trains that leave from New York's Penn Station.” The picture shows an Amtrak Acela train in the space between the old tunnels and the exising New York Penn Station. This capttion is a true statement of the Record of Decision, now waiting for the Federal “Full Funding Agreement.”

The picture clearly shows that the train platform extends under the Farley Post-Office. One can see the ceiling openings where the mail bags were dropped to the platform for loading on the trains.

Governor Paterson has asked for New Jersey, New York (Long Island Railroad in particularly), and Amtrak to cooperate in the reuse of the Post-office space and the train platforms. We have yet to see any progress on this request.

Our primary concern is the reduncancy and security that the new tunnels will provide for New Jersey taxpayers and the federal taxpayers of the region, particular those who use Amtrack and the Northeast Corridor.

J T Raleigh Feb. 11, 2009

# INSTITUTE FOR RATIONAL URBAN MOBILITY, INC.

George Haikalas  
President

One Washington Square Village, Suite 5D  
New York, NY 10012 212-475-3394  
geo@irum.org www.irum.org

**Comment on agenda items 0902-3, 0902-4 and 0902-05 809-71 Relating to Access to the Region's Core (ARC) tunnel project at February 11, 2009 NJ Transit Board Meeting.**

**The Institute for Rational Urban Mobility, Inc. (IRUM) is a NYC-based not-for-profit corporation concerned with reducing traffic congestion and improving the livability of dense urban areas. IRUM urges the NJ Board to reject approval the three agenda items relating to the Access to the Region's Core (ARC) tunnel project. IRUM strongly opposes the deep cavern dead-end terminal some 175 feet below 34<sup>th</sup> Street which would add four to five minutes of travel time per trip in each direction. Instead IRUM supports construction of a simple connection from the new tunnels directly into existing tracks and platforms at Penn Station. This connection would cost \$3 billion less to construct than the current plan and could be completed perhaps four to five years sooner than NJ Transit's deep cavern plan.**

**Furthermore IRUM calls for advancing a direct track connection between Penn Station and Grand Central Terminal – Alternative G as it was called during the Major Investment Study (MIS) phase of the ARC planning effort. The 31 page 2003 ARC MIS Summary Report found that when compared with the deep cavern option the Penn Station-Grand Central plan would cost less to build and to operate, would attract more passengers and divert more motorists. The full 1,600 MIS report which has been hidden from public review, should be released immediately.**

**For this plan to work MTA and NJ Transit would have to cooperate on thru service. This cooperation can be begun in the very near term if the two agencies would advance a plan for thru-running at Penn Station, which is possible today.**

**For NJ Transit to “go it alone” on a separate, disconnected deep cavern terminal severely hurts New Jersey transit passengers and taxpayers. It also undermines New York's plan to rebuild the Moynihan/Penn Station into an important civic space. NJ Transit's plan makes it more difficult to travel between the two states by public transit, assuring growing congestion and pollution on the crowded highway crossings of the Hudson River.**

**It is not too late to an advance a more sensible plan – beginning with the expedited construction of a direct track connection to Penn Station, carefully studied in the February 2007 Draft Environmental Impact Study (DEIS). Contrary to claims by NJ Transit, this connection is not disruptive as it passes through vacant industrial land in the West Midtown area and was in fact approved by the two Manhattan Community Boards directly affected. It is time to for NJ Transit to begin construction of the connection and give up on its costly and passenger-unfriendly deep cavern station.**

## ARC Must Be Built Now

NJT will today consider parts of ARC to move the project forward. These steps must be acted upon favorably for several important reasons; First it has always been good for the region and present energy and mobility issues makes this even more vital: Second the plan works well with the geography and geology of New York's Midtown area which has seen growth head west from Sixth Avenue and both west and south of Penn Station; Third, and perhaps most importantly the project is "shovel ready" and thus in line with Stimulus funds; and last, but perhaps most important it is the only workable plan given the realities of midtown.

Those who object ignore all the above reasons as well as add additional bogus "concerns". I am appalled that some of the objections come from the alleged railfan community who all should know better. Without detailing how they are wrong, suffice to say I have marked out of both the National and New Jersey Associations of Railroad Passengers as they have completely lost their way on this vital mobility project.

prepared for the 2/11/09 NJT Board meeting by: William R. Wright  
34 Beech St., Cranford, NJ., 07016-1757 member of NJT  
Advisory Board, Cranford's rep to the Raritan Valley  
Coalition, at large member of the Union County Trans-  
portation Advisory Board as well as a founding member  
of the County Transportation Advisory Board uv8-36698427:

## LACKAWANNA COALITION "AGENDA ITEMS" STATEMENT TO NJT BOARD, 2-11-09

Before I comment on behalf of the Lackawanna Coalition, I have a brief comment on another item. As some of you know, I am now Second Vice-Chair of SCDRTAC, the Senior Citizens and Disabled Residents Transportation Advisory Committee. I had requested the opportunity to present a statement on the Casino Revenue Fund and other grants for transportation for senior citizens, persons with disabilities and other disadvantaged persons during the "Advisory Committee Reports" section of the Agenda. Since that request was not granted, I will say in my personal capacity that these grants are absolutely vital to the continued provision of even the most rudimentary transportation to the people who need it the most. It is essential that these grants be implemented. I am only disappointed that the amounts could not have been larger.

The Lackawanna Coalition, along with NJ-ARP and other representatives of the riding community have consistently expressed our concerns about the ARC Project as currently planned. We express concern about the proposed agreement with the Port Authority of NY and NJ, since we have reason to believe that the Port Authority is the party that has kept the Major Investment Study of 2003 secret, thereby depriving rail riders, their civic leaders and the general public from knowing why the choices that gave rise to the present negative features of the project were made.

We also express our concern about the item that would give "stipends" to contractors who become the losers in the competition to design the proposed tunnels. This is a waste of millions of dollars. If money is to be awarded to "losers" from this project, it should be awarded to the taxpayers of New Jersey and the riders on the Morris & Essex and other lines who will lose our access to the existing Penn Station.

We express our deepest concern about the proposed Memorandum of Agreement with Amtrak. In actuality, the relationship between Amtrak and NJT on this issue may appear amicable, but its real features are adversarial and rail riders will be the losers. On April 28, 2008, Amtrak President Alex Kummant expressed concern that the proposed NJT tunnel and the money spent to build it would produce no benefit for Amtrak. Instead, it would sacrifice security, operational redundancy and flexibility that joint use of a new tunnel would provide. I am submitting a copy of his letter as an exhibit. Joe Boardman expressed similar concern on behalf of the FRA before he became Amtrak's current president. So did Ross Capon, President of the National Association of Railroad Passengers, in the February 1<sup>st</sup> edition of the Star-Ledger.

NARP's position is that any new tunnels into Manhattan must go to the existing Penn Station, as planned until June, 2007. We and our colleagues agree. Any capacity expansion into Penn Station, for Amtrak or NJT, must be facilitated in an economical and efficient manner. A separate deep-cavern terminal as currently proposed is beyond the financial means of the State of New Jersey, even with help from the FTA and the Port Authority. Even if such a project were to be built, it is highly unlikely that money could eventually be found for the separate capacity expansion that Amtrak will eventually need. We urge you to put aside this proposed agreement and help to prevent an adversarial situation that could easily develop later.

## LACKAWANNA COALITION "NON-AGENDA" STATEMENT FOR NJT BOARD, 2-11-09

For several years, the Lackawanna Coalition has left copies of our newsletter, the *Railgram*, at stations on the Morris & Essex Line for customers to take. Since the last meeting of this Board, permission to leave our newsletter was suddenly revoked, with no immediate explanation. I am now pleased to report that the situation has changed, and that we are again authorized to leave the *Railgram* at M&E stations for our rail riders. We are absolutely delighted with this result, and we deem it a victory for the "open communication" with riders that management holds as a goal. We thank management for notifying affected employees, and we deeply appreciate the amicable and successful resolution of this matter.

On Monday at the Raritan Valley Rail Coalition, I mentioned that I have started an initiative to campaign for federal operating assistance for transit. The service cuts that we have endured during the past year provide a graphic demonstration of this need. The situation at other transit authorities, including in New York, is even more critical. If this campaign is a joint initiative between management and rider advocates, our combined voices will be very powerful. It is vital that operating assistance be included in the TEA-LU reauthorization coming later this year. I would welcome an opportunity to discuss this issue with any interested person at NJT.

Concerning the proposed "ARC" project, NJT management has acknowledged that the project will only benefit New Jersey commuters. We have stated our deep concern on many occasions that Amtrak will be effectively shut out of the new tunnels, while M&E and Montclair-Boonton Line riders, among others, will be shut out of the existing Penn Station. As we have said many times, a set of tunnels and tracks that helps all riders get to where they want to go is far more efficient and cost-effective than separate tunnels and terminals for NJT and for Amtrak. With the new economic reality, the people of New Jersey deserve the far more cost-effective project that was on the books prior to June, 2007. The marginal cost of building it is modest, and the saving in cost from not having to build a deep-cavern terminal is enormous. This saving, along with the efficiency of a line everybody can use, are compelling reasons to go back to the better proposal.

We also question NJT's assertion that New Jersey commuters will benefit from a terminal located 175 below 34<sup>th</sup> Street. Commuters who go to the East Side will not benefit, because the proposed line will not go there. Raritan Valley, Main-Bergen and Pascack Valley riders who will go into the proposed deep cavern terminal will need at least as much time to get out to the street than they currently need to change trains at Newark or Secaucus. M&E and Montclair-Boonton Line riders who commute to the West Side will fare the worst, since they will lose their access to Penn Station and be forced into the proposed underground parking garage for trains. They may keep a one seat ride to the train garage, but they will have a seven-minute ride just to the street level. The only reason why the NJT part of journey could still be called a "one-seat ride" is because they will be forced to stand for the last seven minutes, while ascending to the street. Even then, they will still have to find their way to their offices.