

Richard J. Codey  
Acting Governor

Jack Lettiere  
Board Chairman

George D. Warrington  
Executive Director



May 16, 2005

Dear Governor Codey:

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, May 11, 2005.

Sincerely,

A handwritten signature in cursive script that reads "Gwen A. Watson". The signature is fluid and appears to be written in black ink.

Gwen A. Watson  
Board Secretary

Enclosures

Honorable Richard J. Codey  
Acting 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), 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, May 11, 2005.

**Present:**

Patrick W. Parkinson, Acting Chairman  
Keith Barrack, Governor's Representative  
Robert Smartt  
Kenneth E. Pringle  
Flora Castillo

George D. Warrington, Executive Director  
Lynn Bowersox, Assistant Executive Director, Corporate Commun. & External Affairs  
James Gigantino, Acting Vice President & General Manager, Bus Operations  
William Duggan, Vice President & General Manager, Rail Operations  
Mark Holmes, Deputy Attorney General  
Frank Hopper, Assistant Executive Director, Procurement & Support Services  
James Redeker, Assistant Executive Director, Policy, Technology & Customer Services  
Richard Sarles, Assistant Executive Director, Capital Planning and Programs  
William McManimon, Acting Chief Financial Officer & Controller  
Alma Scott-Buczak, Assistant Executive Director, Human Resources  
Gwen A. Watson, Board Secretary  
John Scher, Acting Auditor General

Patrick W. Parkinson convened the Open Session at 9:20 am in accordance with the Open Public Meetings Act. In the absence of the Chairman and Vice Chairman, a motion was made by Board Member Kenneth E. Pringle, seconded by Keith Barrack and unanimously adopted for Patrick W. Parkinson to chair the Board Meeting.

Acting Chairman Parkinson asked for a motion to enter into Executive Session to discuss contract negotiations and litigation matters. A motion was made by Board Member Pringle, seconded by Keith Barrack and unanimously adopted.

Acting Chairman Parkinson reconvened the Open Session at 10:25 am and asked for a motion to adopt the minutes of the April 21, 2005 meeting. A motion was made by Kenneth E. Pringle, seconded by Flora Castillo and unanimously adopted.

Executive Director George Warrington highlighted the following from his monthly business report.

Executive Director Warrington highlighted two substantial, long overdue station projects on the agenda: the rehabilitation of Historic Newark Broad Street Station and the reconstruction and expansion of Trenton Station. He said these two projects, when completed, will have a major impact on the City of Newark and the City of Trenton and he was pleased that these important projects are moving ahead. Executive Director Warrington said the Newark Broad Street project will take this historic facility, constructed by the

Delaware, Lackawanna and Western Railroad more than a century ago, and make it more accessible to all customers, including those with disabilities.

Executive Director Warrington recognized and welcomed Mayor Sharpe James, City of Newark and Dennis McNerney, Bergen County Executive and said they would be invited to make a few remarks on agenda items

Executive Director Warrington also said there are plans to build two new full-length high-level platforms at Newark Broad Street, including a new center island platform that will be fully ADA compliant. The new platforms will make boarding trains easier for customers and more efficient overall; with faster loading and unloading of passengers. Executive Director Warrington said the new center track platform would provide improved operational flexibility by enabling NJ TRANSIT to use all three tracks, instead of just the two outer tracks today. As a result, NJ TRANSIT will be able to stop more trains at the station, improving travel options for local rail customers, and creating better transfers between the Montclair-Boonton Line, Morristown Line, and Gladstone Branch trains.

Executive Director Warrington said the main station building would be completely rehabilitated, including construction of new public restrooms and installation of historic lighting. Several stairways will be rebuilt and new elevators will be installed. NJ TRANSIT will also do work on the surrounding plaza to improve the station's outside appearance. He said the project has been integrated with the Newark City Subway Extension, which will open in 2007, to ensure that, in the end, customers have a barrier-free facility that makes it easy to transfer between all modes serving the station.

Executive Director Warrington also said once the subway extension opens and the rehabilitation work is completed, Newark Broad Street Station would become a powerful magnet for economic development. He said this is truly a great project for the immediate area around the station and for the entire City of Newark.

Executive Director Warrington said the rehabilitation and expansion of Trenton Station is another long overdue project to bring one of the busiest stations into a state of good repair. He said the station was last renovated in 1972. NJ TRANSIT is nearing completion of preliminary work that will support the main phase of construction, which could begin later this year. He said when the project is completed, there will be a station that is worthy of the State capital, nearly triple its current size, with new waiting areas, improved passenger amenities, including new retail shops and accessible restrooms, and a redesigned plaza area that supports connections with the River LINE and NJ TRANSIT bus service. In addition, the so-called "back door" on Walnut Street will be a real entrance, consistent with the design of the new station.

Executive Director Warrington said this project would improve access, circulation and customer comfort for the nearly 5,000 NJ TRANSIT customers who use the station daily. And, similar to the potential that exists around Broad Street Station, this project will provide the City of Trenton with a landmark building that can serve as an anchor for redevelopment.

Executive Director Warrington said NJ TRANSIT worked closely with Congressman Rush Holt, Congressman Chris Smith, Mayor Doug Palmer and their staffs on creating a station design that works for the city and for customers, and he thanked them all for their input.

He said for both of these major projects, Trenton and Newark, NJ TRANSIT developed detailed operating plans to minimize the impact to customers during the construction process.

He said construction work will be carefully staged so that the stations continue to function while work proceeds. Customers will be kept updated through service advisories, signage and the NJ TRANSIT website. In addition, throughout construction, NJ TRANSIT will have customer service representatives on hand to provide assistance at both stations.

Executive Director Warrington said that one of the fundamental issues he has focused on since he arrived is how to enhance NJ TRANSIT's value to Bergen County. Executive Director Warrington said that there are a number of items on today's Board agenda that deliver on NJ TRANSIT's commitment to address the County's service needs.

Executive Director Warrington said Bergen County is the State's most populated county with nearly a million residents and is a significant engine driving New Jersey's economy. Yet the pace of continued economic growth is threatened by a transportation infrastructure that has reached its maximum capacity, with an all-county roadway system that is carrying a disproportionate share of commuters to mid-town Manhattan by car and bus.

Executive Director Warrington said Bergen residents make twice as many daily work trips to Manhattan as any other county, yet only 17 percent of Bergen's journey-to-work trips to the Manhattan Business District are made by rail. He said by comparison, 60 percent of Union County commuting trips to midtown are by rail and Middlesex, Morris and Essex are all approaching 50 percent.

Executive Director Warrington said that one of the principal reasons for Bergen's modal split is that historically, NJ TRANSIT's services focused principally on bus travel to Midtown and rail service to lower Manhattan through Hoboken. He said the opening last year of Secaucus Junction helped Bergen County residents with a transfer to enable faster access to Midtown, as well as to all of the New Jersey destinations served by the commuter rail system.

Executive Director Warrington said that looking forward; there is a new set of issues. The level of growth that is expected for Bergen County, as well as Rockland County, overlaid on top of an at-capacity roadway system has the potential to further reduce mobility, stifle economic growth, increase pollution, and adversely impact the quality of life for residents.

Executive Director Warrington said that one of the things he asked the planners to do as the Tri-County Plan was developed last year was to look beyond out-dated plans and revisit decade-old assumptions about the economic, environmental, and travel needs of Bergen and adjacent counties. He said one area looked at was the Northern Branch, which will bring passenger rail service to eastern Bergen County for the first time in about half a century.

Executive Director Warrington said that an item the agenda allows NJ TRANSIT to improve on the previous plan of extending light rail service to Tenafly by giving eastern Bergen County not only access to the Hudson waterfront in the first phase, but direct service to

midtown Manhattan with a commuter rail connection through the ARC tunnel in the second phase. He said specifically, the item seeks to complete the environmental impact analysis and concept planning work for the Northern Branch using Diesel Multiple Unit-or DMU technology.

Executive Director Warrington said the plan would enable NJ TRANSIT to provide rail service years sooner, in a more cost-effective way, and with less impact on the communities. He said in the first phase, NJ TRANSIT would use DMU equipment to operate from Tenafly to a new station in North Bergen where customers could transfer to Hudson-Bergen Light Rail for access to the waterfront, as well as connect to PATH trains and trans-Hudson ferries.

Executive Director Warrington said the real headline is that activation of a commuter-rail-like service will ultimately allow a Northern Branch connection with the new Trans-Hudson Express Tunnel, which will give folks a one seat ride directly into Midtown Manhattan. He said the benefits of one-seat ride cannot be overstated, and it's something that would not be possible using light rail.

Executive Director Warrington said NJ TRANSIT would also begin installing passing sidings on the Pascack Valley Line, which is a single-track railroad with limited service. Trains run inbound in the morning and outbound in the evening on weekdays only.

Executive Director Warrington said the Board would consider two contracts, one for the purchase of track materials for the three sidings that were approved in December, as well as one for construction of the fourth "Long Passing Siding" near Woodridge.

Executive Director Warrington said this project will allow for bi-directional service on the line, enabling NJ TRANSIT to offer new midday, reverse-peak, and weekend trains for the first time. He said on weekdays, NJ TRANSIT would offer an additional 12 trains—six roundtrips—between Spring Valley and Hoboken, and three roundtrips between North Hackensack and Hoboken. He said this is in addition to the 23 trains that currently operate on weekdays. Executive Director Warrington said on Saturdays and Sundays, NJ TRANSIT will run 12 roundtrips on the line. Currently, there is no weekend service.

Executive Director Warrington said the construction of Long Passing Siding also represents a critical infrastructure improvement. The siding will be the connection point between the Pascack Valley Line and the Meadowlands Rail Spur that will support service to the sports complex and Xanadu, where 20,000 new permanent jobs will be created.

He said the Rail Spur project is currently in the DEIS stage, and NJ TRANSIT is moving forward with support from the Port Authority.

Executive Director Warrington said the summer is rapidly approaching and NJ TRANSIT is gearing up to provide NJ TRANSIT Summer Services, including rail service on the North Jersey Coast Line that allows people to leave their cars behind and spend more time enjoying the Shore. He said one of the popular elements of the Summer Services package is the Pony Express service to Monmouth Park, which operates Saturdays, Sundays and holidays. Executive Director Warrington said that traditionally, this service has run from Memorial Day to Labor Day, but this year, NJ TRANSIT is going to extend service by a full

five weeks to start on May 14 and run through September 25. He said the train provides a great way to access the racetrack, without having to spend hours sitting in traffic, and NJ TRANSIT is pleased to be able to enhance the service.

Executive Director Warrington concluded his remarks on his monthly business report.

Executive Director Warrington welcomed Mayor Sharpe James, City of Newark, and invited him to speak about the Newark Broad Street Station project. Executive Director Warrington said he is grateful to the Mayor and his staff for their support in planning this project as well as the ongoing work on the Newark City Subway Extension.

Mayor Sharpe James thanked the Board of Directors and Executive Director Warrington for the opportunity to speak about the Newark Broad Street Station project. He said transportation is the hub of the City and he salutes NJ TRANSIT for being part of the renaissance. Mayor James congratulated the Board of Directors and Executive Director Warrington on the Newark Broad Street Station rehabilitation and the Lackawanna Station rehabilitation. He said he is excited about the bridge that will be built from Penn Station to the new arena site. Mayor James said he can testify to NJ TRANSIT's great work and reiterated that transportation is key to the renaissance. Mayor James said the station is a tremendous attraction to Newark, which is one of the fastest growing cities in America. Mayor James thanked Executive Director Warrington for his leadership in the public-private partnership.

Executive Director Warrington thanked Mayor James for his cooperation and support.

Executive Director Warrington invited Bergen County Executive Dennis McNerney to the podium to give some remarks about the items on the agenda that will have a positive impact on his constituents. Executive Director Warrington said Mr. McNerney is someone who is very passionate about the transportation issues facing Bergen County and has made significant contributions to the planning work that has taken place over the past few months and NJ TRANSIT is grateful for his input.

Mr. McNerney thanked the Board of Directors and Executive Director Warrington for bringing world-class transportation to Bergen County. He said there are approximately one million residents in Bergen County and the population is expected to grow in the next 20 years. He said expanded rail service in Bergen County is a necessity. He also said there is a need to re-energize the Corridor and the Northern Branch does just that. Mr. McNerney said there are advantages to the Diesel Multiple Units (DMUs). They are diesel powered, clean burning engine and compliant with the Americans with Disabilities Act (ADA). He said once passenger service begins, riders will have access to the Ferries, PATH and trips to the Sports Complex will be possible. He also said that when the new train tunnel opens, Bergen County could have a one-stop ride to Manhattan. Mr. McNerney endorsed the authorization of the Environmental Impact Statement for the Northern Line, which is decades overdue. He also said that the Pascack Valley Line would allow for bi-directional rail service with more service and more choices. Mr. McNerney said he is convinced that the DMUs and the Long Passing Sidings are good plans and asked the Board to adopt these items.

Executive Director Warrington thanked Bergen County Executive Dennis McNerney for his cooperation and support.

Suzanne Mack presented the Advisory Committee report to the Board. Ms. Mack welcomed Kenneth E. Pringle to the Board of Directors. Ms. Mack said there is a North and South Jersey Advisory Committee that meets monthly to provide comment and input on transportation matters. Ms. Mack said the Committee is pleased with the Trenton Station and Newark Broad Street rehabilitations. She said staff has worked hard on these projects to provide commuter amenities. Ms. Mack commended Commissioner Lettiere on receiving the Smart Growth award. Ms. Mack said the Advisory Committee is concerned that they did not have a presentation on the MOM Study and asked if it would be possible for the Advisory Committee to have a full discussion on this matter before June. Executive Director Warrington said staff would arrange a full briefing.

There were four public comments on agenda items.

William R. Wright, New Jersey Association of Railroad Passengers commented on the item, Pascack Valley Line – Long Passing Sidings. Mr. Wright said he endorsed this project and that all day service is essential to build up ridership. Mr. Wright said he heard there were environmental concerns about this project but said there is virtually no oil runoff from the train. Mr. Wright said the upgrade to the Pascack Valley Line is essential to the mobility of the State.

Rose Heck, New Jersey Association of Railroad Passengers, commented on the item, Northern Branch Environmental Impact Analysis: Contract Amendment. Ms. Heck said she was concerned that the County Executive recommended DMUs when Assemblywoman Weinberg requested more information to the State and Federal level on this matter to determine if DMUs or light rail would be the better choice. Ms. Heck suggested a feasibility study to review the issue of DMUs vs. light rail and which would be best for all the residents in Bergen County. Ms. Heck said no public outreach has been conducted. Ms. Heck said she believes light rail is best way to go. She said it is an extension of an existing line, cheaper, cleaner and easier access for people with disabilities. Ms. Heck said light rail was chosen for the Hudson-Bergen Light Rail System. Ms. Heck requested that the Board postpone any action on this item until all the variables have been resolved in consideration of Bergen County residents.

Executive Director Warrington, in response to Ms. Heck, commented that the DEIS provides for a formal public outreach.

Byron Allen, resident of Tenafly, commented on the item, Northern Branch Environmental Impact Analysis: Contract Amendment. He said he agreed with Ms. Heck's comments regarding light rail vs. DMUs on the Northern Branch. Mr. Allen said he heard a presentation at a planning board meeting and he argued strongly against the DMUs. Mr. Allen said if the DMUs are chosen, it would be a big mistake. Mr. Allen said he would like to have a copy of the environmental impact statement for the Northern Line and he hopes the study would be released once completed.

Al Cafiero, Senator Cardinale's office, commented on the item, Northern Branch Environmental Impact Analysis: Contract Amendment. Mr. Cafiero said the light rail study

should have been finished so there could be a comparison whether there should be DMUs or light rail. Mr. Cafiero said Bergen County has the impression that they should have the DMUs or nothing. Mr. Cafiero said more subsidy would be needed for DMUs than light rail and ridership would increase 75 percent on light rail. Mr. Cafiero said the DMUs do not make sense and he hopes the Board will ask for a study.

Acting Chairman Parkinson said all comments would be taken under consideration.

At approximately 10:50 am, Board Member Flora Castillo left the meeting.

Executive Director Warrington presented the following Action Items for approval:

**0505-18: NEWARK BROAD STREET STATION: CONSTRUCTION CONTRACT AWARD AND AMENDMENT TO ADD CONSTRUCTION ASSISTANCE SERVICES**

Newark Broad Street Station was designated as a 'key' station in the Commuter Rail Accessibility Plan, targeting it for accessibility improvements for compliance with the Americans With Disabilities Act. Approval is sought to contract with Conti Enterprises for accessibility improvements to Newark Broad Street Station to provide barrier free access to the station and make rail service accessible to all customers. Two full length, high-level platforms will be constructed with canopies and improved lighting and railings, allowing additional trains to stop at Broad Street. The new platforms will also allow better transfers between the Montclair/Boonton Line, Morristown Line and Gladstone Branch trains. Bridges over Martin Luther King Boulevard, University Avenue and Broad Street will be rehabilitated and the stairs will be rebuilt, and elevators and new restrooms will be constructed. Construction is planned for June and an operating plan has been developed to minimize impacts to customers through completion in fall of 2007. The contract is for \$50,855,905 plus five percent for contingencies. In addition, approval is sought to fund the next phase of a contract with Systra Consulting to provide construction assistance support during the construction in an amount not to exceed \$1,280,000 plus five percent for contingencies.

Kenneth E. Pringle moved the resolution, Keith Barrack seconded it and it was unanimously adopted.

**0505-19 TRENTON STATION IMPROVEMENTS: MAIN CONSTRUCTION CONTRACT**

Trenton Station, our State's capital, serves more than 4700 passengers daily, and was last renovated in 1972. The station is in need of major construction designed to increase the size of the station building and decrease congestion, relocate the ticket areas and increase retail space, and provide much needed customer amenities such as accessible restrooms, redesigned parking and circulation, CCTV's, better signage and passenger information systems and improved heating and cooling for customer comfort. The plan also includes a major redesign of the plaza areas around the station to improve connections

to the River LINE and bus services to downtown Trenton. The concourse will also be rehabilitated. Approval is sought to contract with Thomas P. Carney, Inc. in an amount not to exceed \$53,237,058 plus five percent for contingencies. Construction will be carefully staged to minimize passenger inconvenience and specially designed temporary facilities will be available for ticket sales and station operations. The project is expected to be complete by summer, 2007.

Robert Smartt moved the resolution, Keith Barrack seconded it and it was unanimously adopted.

0505-20 PASCACK VALLEY LINE – LONG PASSING SIDINGS: CONSTRUCTION CONTRACT AWARD, WETLANDS MITIGATION CREDIT PURCHASES AND CONSTRUCTION ASSISTANCE SERVICES

NJ TRANSIT began a program of improvements to the Pascack Valley Line in order to accommodate bi-directional and off-peak rail service providing customers with a wider range of travel options. Currently, service is only available into Hoboken in the morning and out of Hoboken in the evening. Approval is sought to construct Long Passing Sidings which, with the previously authorized construction of three other sidings, will allow trains to pass each other and operate in both directions at all times. The sidings will also eliminate conflicts with freight trains, which currently use the line, and will be compatible with the planned Meadowlands Rail Spur. Approval is sought to contract with Union Paving and Construction Company to perform the site work at a cost not to exceed \$4,057,050 plus five percent for contingencies. Approval is sought to contract with Marsh Resources Inc. for wetland mitigation credits replacing 1.33 acres of wetlands required by the NJ Department of Environmental Protection, at a cost of \$618,450 plus five percent for contingencies. Approval is sought to amend a contract with Parsons Brinckerhoff to continue construction assistance for \$200,000 plus five percent for contingencies.

Keith Barrack moved the resolution, Robert Smartt seconded it and it was unanimously adopted.

0505-21 PASCACK VALLEY LINE – TRACK MATERIAL PROCUREMENT CONTRACT

In order to accomplish the construction of the Pascack Valley sidings, approval is sought to contract with VAE Nortrak to purchase track material so that after the work is complete, NJ TRANSIT forces can install the track, turnouts and crossovers at a cost not to exceed \$3,043,432 plus five percent for contingencies.

Kenneth E. Pringle moved the resolution, Robert Smartt seconded it and it was unanimously adopted.

0505-22 NORTHERN BRANCH ENVIRONMENTAL IMPACT ANALYSIS: CONTRACT AMENDMENT

NJ TRANSIT proposed a TRI-County Rail plan to provide incremental rail improvements in Bergen, Passaic and Hudson Counties to provide intercounty service as well as position the system for an eventual one seat ride into mid-town Manhattan after the Access to the Region's Core project is completed. Part of the plan involves providing Diesel Multiple Unit or DMU passenger rail service between the North Bergen Hudson-Bergen Light Rail station that will open at the end of this year and Tenafly. An initial study focused on reactivation of passenger service on the Northern Branch by extending the Hudson Bergen Light Rail system at a much higher cost. Approval is sought to re-evaluate the environmental impacts using DMUs on that line, which are compliant with Federal Railroad Administration regulations. Approval is also sought to increase funding of a contract with Edwards & Kelcey Inc. by \$1,617,686 plus five percent for contingencies for professional services to complete the analysis and for general planning and public outreach, including planning for future rail services in the Meadowlands area and the West Shore Line.

(THIS ITEM HAS BEEN TABLED.)

0505-23 ACCESS LINK SERVICE PROVIDER CONTRACT FOR REGION 2, NEW JERSEY

NJ TRANSIT's federal mandate to provide paratransit service in compliance with the Americans With Disabilities Act requires contracting with private operators in different regions throughout the State for this service which enables those with disabilities to become more independent through fixed route local bus service. Approval is sought to contract with Laidlaw Transit Services Inc. for Region 2, which includes Burlington, Camden, Cumberland, Gloucester and Salem Counties as well as Center City Philadelphia, at a cost not to exceed \$48 million and five percent for contingencies.

Keith Barrack moved the resolution, Robert Smartt seconded it and it was unanimously adopted.

0505-24 SOLE/SINGLE SOURCE VENDORS PURCHASE OF REPLACEMENT PARTS AND SERVICES (BUS, RAIL AND HEADQUARTERS)

Approval is sought to purchase replacement parts and services from single or sole source approved vendors, at a cost not to exceed \$20 million, since the vendors have proprietary control over the manufacture of parts and components required for equipment. Some areas include replacement parts for rolling stock which is designed only by the original manufacturer, purchase of brake shoes for our daily fleet of over 1000 rail cars and locomotives as well as services such as rail testing by induction and ultrasound methods.

Kenneth E. Pringle moved the resolution, Keith Barrack seconded it and it was unanimously adopted.

0505-25 SOUTHERN NEW JERSEY RAIL GROUP VS. NJ TRANSIT:  
COMPENSATION OF SPECIAL COUNSEL

In 2002, Sills Cummis Epstein & Gross was appointed as special counsel by the Attorney General's office to defend NJ TRANSIT in the lawsuit filed by Southern New Jersey Rail Group, contractor for the River LINE light rail project. Approval is sought to continue funding up to an additional \$1.5 million for these litigation support services, including a judge-appointed Special Master intended to move the case forward expeditiously.

Kenneth E. Pringle moved the resolution, Patrick W. Parkinson seconded it and it was unanimously adopted.

Executive Director Warrington presented the following Consent Calendar for approval:

0505-26 LEASE TO CITY OF CAMDEN (PORTION OF PEMBERTON BRANCH)

Authorize the Chairman or Executive Director to enter into all necessary agreements with, and take all necessary actions with regard to, the City of Camden to lease to the City for 20 years, in consideration of the City's payment of \$85,000 and other consideration, approximately 4.03 acres of an inactive portion of the Pemberton Branch in Camden for use solely for public purposes such as a public greenway, bicycle path, jogging path or other recreational roadway subject to NJ TRANSIT's right to terminate the lease beginning in the 11th year of the lease upon 12 months' notice should the railroad property be needed for railroad or other public transportation purposes.

0505-27 TEMPORARY INTERIM EXTENSION OF CARRIER CONTRACTS FOR  
HEALTHCARE, LIFE AND SURVIVOR INCOME BENEFITS

Authorization to extend NJ TRANSIT's contracts with its current insurance carriers, at the current rates, for a period of up to six months, beginning July 1, 2005, if necessary, to ensure continuation of healthcare, life and survivor income coverage for NJ TRANSIT employees, retirees and eligible dependents until contracts with new carriers are awarded and implemented. Administrative fees for all groups should not exceed \$3,750,000 for the period of July 1, 2005 through December 31, 2005.

Kenneth E. Pringle moved the resolution, Keith Barrack seconded it and it was unanimously adopted.

There were four public comments on non-agenda items.

Rose Heck, New Jersey Association of Railroad Passengers, said she was pleased to see Mayor Sharpe James and commended Executive Director Warrington for the work being done in the City of Newark, especially the Newark Broad Street Station project. Ms. Heck thanked the Board for delaying the vote on the Northern Branch item.

William Wright, New Jersey Association of Railroad Passengers, commented on the Monmouth-Ocean-Middlesex (MOM) project. He said he saw the ridership figures for Matawan, Red Bank and New Brunswick. He said Metropark and Edison were not included in the ridership counts. Mr. Wright said New Brunswick is the only way to go.

Al Papp, Jr. commented on the fare increase that was approved at the April 2005 meeting. He said he would prefer the use of the term "off peak rider" rather than "incidental rider". He said he was disappointed that the off-peak rider is subject to a 25 percent increase. Mr. Papp encouraged NJ TRANSIT to keep precise records and be very specific in keeping those numbers for the next fare increase. Mr. Papp also requested that NJ TRANSIT revise its current fare structure before the next fare increase. He requested the establishment of an Ad Hoc Committee to provide outreach to the public and stakeholders so the next fare increase could be done right. He also said the Committee should look at restructuring all fares, bus and rail, so an easy to understand fare structure could be read and used.

Acting Chairman Parkinson said that the Board Administration Committee, every six months, should review the off-peak ridership numbers.

Al Cafiero, Senator Cardinale's Office, commented about the Tenafly Station. Mr. Cafiero said there is a café located in the station with historical maps and he invited everyone to stop by to look at it and enjoy it.

Since there were no further comments or business, the Chairman called for adjournment and a motion to adjourn was made by Robert Smartt, seconded by Keith Barrack and unanimously adopted.

The meeting was adjourned at approximately 11:15 am.

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

**36194**

**MAY 11, 2005**

**MINUTES**

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**ACTION ITEMS**

0505-18:	NEWARK BROAD STREET STATION: CONSTRUCTION CONTRACT AWARD AND AMENDMENT TO ADD CONSTRUCTION ASSISTANCE SERVICES	36221
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Authorization to contract (No. 04-089) with Conti Enterprises, Inc. of South Plainfield, NJ for the construction of accessibility and station rehabilitation improvements at Newark Broad Street Station at a cost not to exceed \$50,855,905, plus five percent for contingencies.

Also, authorization to fund Phase III (Construction Assistance) of a professional service contract (No. 02-101) with Systra Consulting of Bloomfield, NJ, for construction assistance services to support the construction contract in the amount of \$1,280,000, plus five percent for contingencies, for a total contract authorization of \$5,190,150.

0505-19:	TRENTON STATION IMPROVEMENTS: MAIN CONSTRUCTION CONTRACT	36224
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Authorization to contract (No. 05-034) with Thomas P. Carney, Inc. of Langhorne, PA for construction of Trenton Station Rehabilitation – Main Contract for reconstruction of the station building, rehabilitation of the concourse and platform repairs at a cost not to exceed \$53,237,058, plus five percent for contingencies.

- 0505-20: PASCACK VALLEY LINE – LONG PASSING SIDINGS: CONSTRUCTION CONTRACT AWARD, WETLANDS MITIGATION CREDIT PURCHASES AND CONSTRUCTION ASSISTANCE SERVICES 36227

Authorization to contract (No. 05-057) with Union Paving and Construction Co. of Mountainside, NJ for construction of Long Passing Sidings at a cost not to exceed \$4,057,050, plus five percent for contingencies.

Also, authorization to contract with Marsh Resources, Inc. of Houston, TX for wetland mitigation credits in the amount of \$618,450, plus five percent for contingencies.

Also, authorization to amend the contract (No. 00-052) with Parsons Brinckerhoff Inc. of Newark, NJ for construction assistance services in the amount of \$200,000, plus five percent for contingencies for a total contract authorization of \$5,919,674.

- 0505-21: PASCACK VALLEY LINE – TRACK MATERIAL PROCUREMENT CONTRACT 36230

Authorization to contract with (No. 05-627) VAE Nortrak of Birmingham, AL for the purchase of track material at a cost not to exceed \$3,043,432, plus five percent for contingencies.

- 0505-22: NORTHERN BRANCH ENVIRONMENTAL IMPACT ANALYSIS: CONTRACT AMENDMENT 36232

Authorization to increase funding for the contract (No. 95CRO62) with Edwards & Kelcey, Inc. of Morristown, NJ in the amount for \$1,617,686, plus five percent for contingencies, for professional services to complete the environmental impact analysis for the Northern Branch service and for general planning and public outreach for transit service in the Meadowlands area for a total contract authorization of \$6,318,281.

- 0505-23: ACCESS LINK SERVICE PROVIDER CONTRACT FOR REGION 2, NEW JERSEY 36235

Authorization to contract (No. 05-040) with Laidlaw Transit Services, Inc., of Shawnee Mission, KS for the provision of ADA paratransit service in Region 2, Burlington, Camden, Cumberland, Gloucester and Salem Counties in New Jersey, and Center City, Philadelphia, PA. This is a seven-year contract (three-year base and two two-year options). The contract amount will not exceed \$48,000,000, plus five percent for contingencies, for the period September 10, 2005 to July 13, 2012.

- 0505-24: SOLE/SINGLE SOURCE VENDORS PURCHASE OF REPLACEMENT PARTS AND SERVICES (BUS, RAIL AND HEADQUARTERS) 36238

Authorization to enter into sole or single source procurement-by-exception contracts for the purchase of materials and services from approved vendors to support Bus, Rail and Headquarters operations at a cost not to exceed \$20,000,000. This request will cover a 12-month period. All items or services purchased on a sole/single source basis will be subject to price or cost analysis to ensure the reasonableness of the prices provided.

- 0505-25: SOUTHERN NEW JERSEY RAIL GROUP VS. NJ TRANSIT: COMPENSATION OF SPECIAL COUNSEL 36241

Authorization to compensate the law firm of Sills Cummis Epstein & Gross as Special Counsel to NJ TRANSIT in accordance with the Attorney General's designation for comprehensive litigation support services, including the retention of experts, up to an additional \$1,500,000 for a total contract authorization of \$10,590,00 for continuing legal services. Subsequent litigation budgets will be submitted for approval as required.

#### CONSENT CALENDAR

- 0505-26: LEASE TO CITY OF CAMDEN (PORTION OF PEMBERTON BRANCH) 36245

Authorize the Chairman or Executive Director to enter into all necessary agreements with, and take all necessary actions with regard to, the City of Camden to lease to the City for 20 years, in consideration of the City's payment of \$85,000 and other consideration, approximately 4.03 acres of an inactive portion of the Pemberton Branch in Camden for use solely for public purposes such as a public greenway, bicycle path, jogging path or other recreational roadway subject to NJ TRANSIT's right to terminate the lease beginning in the eleventh year of the lease upon 12 months' notice should the railroad property be needed for railroad or other public transportation purposes.

- 0505-27: TEMPORARY INTERIM EXTENSION OF CARRIER CONTRACTS FOR HEALTHCARE, LIFE AND SURVIVOR INCOME BENEFITS 36248

Authorization to extend NJ TRANSIT's contracts with its current insurance carriers, at the current rates, for a period of up to six months, beginning July 1, 2005, if necessary, to ensure continuation of healthcare, life and survivor income coverage for NJ TRANSIT employees, retirees and eligible dependents until contracts with new carriers are awarded and implemented.

Administrative fees for all groups should not exceed \$3,750,000 for the period of July 1, 2005 through December 31, 2005.

- PUBLIC COMMENTS ON NON-AGENDA ITEMS 36193

**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 litigation matters and contract negotiations; 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 April 21, 2005 Board meeting 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 April 25, 2005;

**NOW, THEREFORE, BE IT RESOLVED** that the minutes of actions taken at the April 21, 2005 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.

Richard J. Codey  
Acting Governor

Jack Lettiere  
Board Chairman

George D. Warrington  
Executive Director

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

036193

**TO:** BOARD OF DIRECTORS  
**FROM:** GEORGE D. WARRINGTON  
**DATE:** MAY 11, 2005  
**SUBJECT:** EXECUTIVE DIRECTOR'S REPORT – MAY 2005

On today's Board agenda are two substantial, long-overdue rehabilitation projects for two of our busiest stations—Trenton and Newark Broad Street. When these projects are completed, the City of Newark and the City of Trenton will each have new landmark buildings that can serve as anchors for economic development and urban renewal. I want to thank Newark Mayor Sharpe James and Trenton Mayor Doug Palmer, with whom we have worked closely on the design, for their input.

Our plans for Newark Broad Street will take the historic station, which was constructed by the Delaware, Lackawanna and Western Railroad more than a century ago, and make it more accessible to all NJ TRANSIT customers—including those with disabilities. Two new full-length, high-level platforms will be installed, facilitating easier and more efficient train boarding and alighting. One of these platforms will be a center island that will improve operational flexibility by allowing the use of all three tracks, as opposed to only the two outer tracks today. As a result, more trains will be able to serve the station, improving travel options for local rail customers and creating better transfers between Montclair-Boonton Line, Morristown Line and Gladstone Branch trains. The main station building will be completely rehabilitated, including construction of new public restrooms and installation of historically compatible lighting. Several stairways will be rebuilt, and new elevators will be installed.

The project has been integrated with our extension of the City Subway, which will also open in 2007, to ensure that we deliver a barrier-free station that facilitates intermodal transfers and maximizes customer convenience.

The rehabilitation and expansion of Trenton Station is another long-awaited project that will bring the state's fourth busiest rail station into a state of good repair. Last renovated in 1972, Trenton Station serves nearly 5,000 NJ TRANSIT customers each day. When the project is completed in about two years, we will have a station worthy of our state capital—nearly triple its current size—with new waiting areas, improved passenger amenities, new retail space, accessible restrooms and a redesigned plaza area that supports connections with River LINE and Capital Connection bus service.

Both Trenton and Newark Broad Street stations will remain open during the construction process, and we have developed detailed operating plans at each station to minimize the impact to customers. Of course, we will keep customers updated through service advisories, signage, and njtransit.com as the work progresses.

Also on today's agenda are a series of items that deliver on our commitment to address Bergen County's service needs. Bergen residents make twice as many daily work trips to Manhattan as any other county, yet only 17 percent of those trips are made by rail (as compared to about 50 percent in Middlesex, Morris and Essex counties). One of the principal reasons for this modal split is that, historically, NJ TRANSIT service has focused on bus travel to Midtown and rail service to lower Manhattan through Hoboken. Looking to the future for Bergen County required us to revisit our assumptions and take a fresh look at solutions.

One area where we have done that is the Northern Branch, which will bring passenger rail service to eastern Bergen County for the first time in about 50 years. An item before the Board today would complete the environmental impact analysis using Diesel Multiple Unit (DMU) technology, enabling us to provide rail service years sooner, in a more cost-effective way, and with less impact on the communities. In the first phase, DMUs would operate from Tenafly to North Bergen, where customers could transfer to the Hudson-Bergen Light Rail system for access to the waterfront, as well as connections to PATH trains and trans-Hudson ferries. The benefits will further evolve in the second phase, because this approach will eventually allow us to connect the Northern Branch with the new Trans-Hudson Express Tunnel and give eastern Bergen County customers the ultimate commuting benefit: a one-seat ride directly into Midtown Manhattan.

I want to thank County Executive Dennis McNerney for his insight as we have worked to develop the right transportation options to meet Bergen's future needs. He is someone who is truly passionate about the transportation issues facing Bergen County and has made a valuable contribution to the planning work that has taken place over the past several months.

# **EXECUTIVE DIRECTOR'S MONTHLY REPORT MAY 2005**

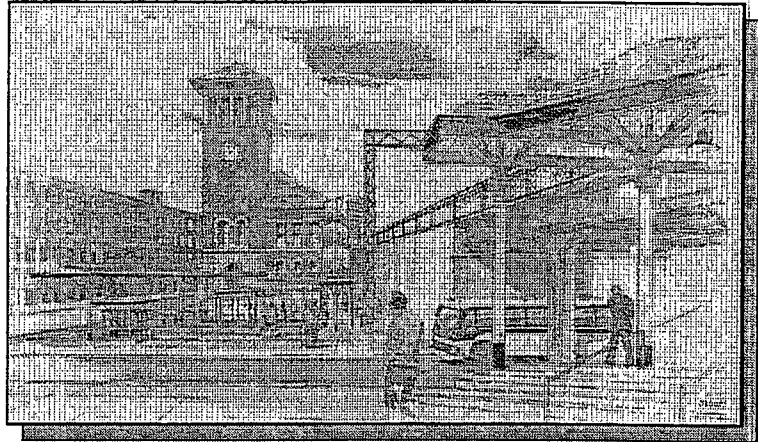
- 1. HIGHLIGHTS**
- 2. CUSTOMER AND COMMUNITY INITIATIVES**
- 3. EMPLOYEE RECOGNITION**
- 4. DBE/MBE PROGRAM**
- 5. PERFORMANCE MEASURES**

# HIGHLIGHTS

### **Newark Broad Street Station Project**

NJ TRANSIT Board of Directors today will consider awarding a construction contract for rehabilitation and accessibility improvements at historic Newark Broad Street Station. The construction project will provide barrier-free access to trains for all customers, including those with disabilities.

Construction is expected to begin in the summer and be completed by late 2007. NJ TRANSIT will install two full-length, high-level platforms—including a new center island platform—that will provide customers with easier and more efficient train boarding. Track work will also be conducted to accommodate the new platforms.



Also included in the project are:

- Installation of historic canopies on both platforms
- Installation of historic lighting throughout the station
- Rehabilitation of the main waiting room
- New public restrooms
- Reconstruction of railroad bridges over Martin Luther King Boulevard, University Avenue and Broad Street
- Installation of two elevators – one in the main station building leading to the platform and another connecting the pedestrian tunnel to the center island platform
- Reconstruction of a pedestrian tunnel connecting the main station building to the new center island platform

The station will remain open during construction, and at least two of three tracks will remain in service at all times while work is being conducted. Plans are in place to minimize the impact to customers and to keep them informed during construction.

Constructed by the Delaware, Lackawanna and Western Railroad between 1901 and 1903, Newark Broad Street Station is one of the state's premier historic railroad facilities and is listed on State and National Registers of Historic Places.

**Trenton Station Expansion**

The NJ TRANSIT Board of Directors today will consider a \$53.2 million contract for the rehabilitation and expansion of Trenton Station that will give the city a landmark building representative of a state capital.



The project will produce a station nearly triple the size of the current structure, expanding the building to 46,000 square feet from 19,000 square feet today. New restrooms, waiting areas, retail shops and dining options will

provide customers with an improved commuting experience. The heating and air-conditioning systems will be replaced, in addition to all elevators and escalators.

The entrance on Walnut Street, commonly referred to as “the back door” because it was not originally intended for its current level of use, will be transformed into a true building entrance, complete with its own set of restrooms, retail space and waiting area.

**Hoboken Ferry Terminal Restoration to Begin**

When Hoboken Terminal opened for service in 1907, commuters bound for New York boarded ferries to complete their trip across the Hudson River. In April, State Senator Bernard Kenny and Hoboken Mayor David Roberts joined NJ TRANSIT Executive Director George D. Warrington to announce the second phase of a rehabilitation project that will return Hoboken Terminal to its original design, enabling trans-Hudson commuters to board ferries from the historic terminal building in time for the 100<sup>th</sup> anniversary of its opening.

NJ TRANSIT is currently accepting bids for the reconstruction of the terminal's original ferry slips, a critical element needed to restore permanent ferry service to the terminal.



During the second phase of the project, marine construction of five of the original six ferry slips will be completed, as well as structural repairs, roof repairs, skylight restoration and interior finishing work. In addition, NJ TRANSIT plans to build a replica of the clock tower that originally stood on top of the building, which as designed in the early 1900s by artist Kenneth Murchinson.

The project's first phase, which began last year and will be completed this summer, includes repairs to the terminal's substructure and superstructure.

Hoboken ferry service was discontinued in 1967 due to declining demand, but was restored in 1989. Today, ferries play a vital role in trans-Hudson transportation.

**Pony Express Service Extended by Five Weeks**

This year, race fans will get five extra weeks of "Pony Express" service to Monmouth Park Racetrack. The popular service, which had previously run from Memorial Day to Labor Day, will be extended to operate from May 14 through September 25, 2005.



By using NJ TRANSIT, families can enjoy a day at Monmouth Park and avoid spending valuable time sitting in summer traffic. The train arrives in plenty of time for the first race and daily double, and departs 15 minutes after the last race.

The Pony Express operates to Monmouth Park Station, located on the North Jersey Coast Line, on Saturdays, Sundays, and holidays during the summer season. Customers may board at several stations, including Hoboken, Newark, Elizabeth, Rahway, Woodbridge, Perth Amboy and South Amboy. Customers may also board trains at New York Penn Station or Secaucus Junction and connect to Pony Express service at Newark Penn Station.

A roundtrip ticket from Hoboken or Newark is \$10.50, and includes free Grandstand Admission to the park. Customers traveling from New York or Secaucus Junction pay \$14.75. Fares are subject to change when NJ TRANSIT's new fare schedules take effect on July 1.

**Pony Express Schedule (Saturday, Sunday, Holidays)**

	<b>Departs</b>
Hoboken Terminal	11:20 a.m.
Newark Penn Station	11:41 a.m.
Elizabeth	11:49 a.m.
Rahway	11:56 p.m.
Woodbridge	12:03 p.m.
Perth Amboy	12:09 p.m.
South Amboy	12:13 p.m.
Monmouth Park	12:38 p.m.

**Connecting Service from New York**

	<b>Departs</b>
New York	11:15 a.m.
From Secaucus Junction	11:23 a.m.
Arrives in Newark	11:32 a.m.

Complete details are available by visiting [www.njtransit.com](http://www.njtransit.com) and clicking on "Deals and Destinations."

**River LINE Named "Transportation Project of the Year"**

The Delaware Valley Regional Planning Commission (DVRPC) has named the River LINE the state's "Transportation Project of the Year."

Meeting the transportation needs of area residents and becoming a catalyst for economic revitalization in communities along the alignment ranked high in the DVRPC's decision to honor the light rail system with the award.

NJ TRANSIT has continued to enhance River LINE service since it opened for revenue service in March 2004, including the introduction of 15-minute peak-period departures and "early bird" service from several stations. The Corporation also adjusted its Capital Connection bus schedules in Trenton to improve connections with River LINE arrivals and departures.

NJ TRANSIT will receive the award at a ceremony on June 7<sup>th</sup>.

### **Hudson-Bergen Light Rail Celebrates 5<sup>th</sup> Anniversary**

The Hudson-Bergen Light Rail system marked its fifth anniversary on April 14, 2005, and to celebrate, customers at the Hoboken light rail station were treated to coffee and “drinking chocolate” courtesy of Starbucks Coffee Company and free copies of the Jersey Journal newspaper.



Joining in the celebration was Fox 5 morning news program “Good Day New York.” Fox 5 Meteorologist Mike Woods conducted live weather broadcasts from the light rail station, as customers competed for sweepstakes prizes that included tickets to venues served by the HBLR.

Hudson-Bergen Light Rail made its debut in April 2000, serving Bayonne and Jersey City. Today, the light rail system logs more than 18,500 passenger trips each weekday, and has extended service to Hoboken and Weehawken. Within a year, HBLR service will extend further north to Union and North Bergen with the opening of three new stations: Port Imperial, Bergenline Avenue and Tonnelles Avenue.

# **CUSTOMER AND COMMUNITY INITIATIVES**

**NJ TRANSIT saves environment through OzonePass, recycling**

Once again this year, NJ TRANSIT will offer New Jersey employees a discounted commute on days when high levels of ozone pollution are predicted in the summer months.

The Corporation's OzonePass program gives New Jersey-based employers the opportunity to offer their employees a \$2-round-trip commute within New Jersey on any NJ TRANSIT bus, train or light rail line during designated high-ozone days. This year's ozone season runs from May 16 through September 19.

NJ TRANSIT was the first commuter system to introduce the OzonePass concept in 1999. Since the program's inception, NJ TRANSIT has sold more than 50,000 OzonePasses to New Jersey employers.

OzonePasses are sold in bulk quantities to New Jersey employers who can either sell or give the passes to their employees. Employers are notified by fax or e-mail the day before unhealthy ozone pollution levels are predicted, enabling them to advise their employees to use OzonePass on NJ TRANSIT instead of driving to work.

OzonePass is available to members of the New Jersey Ozone Action Partnership, an organization of more than 500 businesses and organizations. To register, employers may call (973) 491-7600 or send an email to [ozonepass@njtransit.com](mailto:ozonepass@njtransit.com).

Ground-level ozone pollution forms when car exhaust, fuel vapors and emissions from industrial sources are "baked" by the sun on hot summer days. Though New Jersey's air quality has improved over the last few years, ground-level ozone pollution continues to be a problem.

**NJ TRANSIT begins rail origin & destination survey**

NJ TRANSIT began a system-wide rail origin and destination survey last month to collect data necessary to apply for federal funding. The last survey of this scope was conducted in 1990, although smaller surveys for specific rail lines were completed in 1996 and 1999.

The federal government requires transportation agencies to conduct an "O&D survey" once every 10 years. Recent service improvements (i.e. Montclair Connection, Secaucus Junction) have also made it necessary for another full-scale survey.

The main goals of the study include:

- Obtaining travel patterns and trip characteristics
- Updating the demand forecast model
- Understanding customer demographic profiles
- Collecting customer satisfaction data
- Tracking changes in travel patterns and customer satisfaction
- Preparing a customer database for future research

Customers can participate in the survey by visiting [www.njtransit.com](http://www.njtransit.com) before May 19.

# **EMPLOYEE RECOGNITION**

### **Presidential Award Found, UN Official Thankful**

Teamwork played a vital role in the recovery of a presidential award, and a United Nation's official has a team of NJ TRANSIT employees to thank for its return.

On the morning of March 3, a UN official approached Customer Service Representative Stephanie Gadegbeku at New York Penn Station, and reported that he accidentally left an important document on a train—an award given to him by President George W. Bush for his role in evacuating more than 200 peacekeepers in West Africa before a coup began.

Stephanie quickly contacted Linda Abrahams of NJ TRANSIT Operations Communications, who was able to reach the train's engineer, Harold DeLooze. Harold, along with the train crew, was able to find the award and kept it safe until the train returned to New York.

Linda retrieved the award from Conductor Richard Grabowski and was able to get it back in the hands of the United Nation's official, who was relieved and extremely grateful for the efforts of NJ TRANSIT staff.

### **Rail Safety Improved in 2004; Employee, Passenger Injuries Sharply Decline**

In 2004, Rail Operations reduced Federal Railroad Administration (FRA) reportable injuries by 12.9 percent and total injuries by 12.4 percent. During the last three years, NJ TRANSIT's injury frequency on the railroad has been reduced to 2.85 (2004) from 4.17 (2001).

The Corporation's goal is to reduce injuries by another 10 percent in 2005 by enhancing supervisory safety training, reconfiguring our labor management safety committees and making improvements to employee work areas in yards and terminals.

In addition, customer injuries decreased 31 percent in 2004 and FRA reportable injuries were 55 percent lower. The declines are attributed to the increased use of equipment designed to operate "closed-door," which minimizes snow and ice accumulation on steps and vestibules and improved passenger communications.

# **DBE / MBE PROGRAM**

## **Office of Business Diversity SBE/DBE/WBE Participation**

### **Federally Funded Contracts**

\$19,995,797 in federal funds was awarded during October thru April of FY 2005\*.

Disadvantaged Business Enterprises (DBEs) were awarded \$3,293,632 or 16.5 percent, which includes both race conscious and race neutral awards.

### **State Funded Contracts**

\$45,963,129 in state-funded contract dollars was awarded during July through February FY 2005\*\*. Of that total, Small Business Enterprises (SBEs) received \$9,220,266 or 20.1 percent. Category 1 SBEs received \$5,363,598 or 11.7 percent. Category 2 SBEs received \$672,250 or 1.5 percent. Category 3 SBEs received \$113,354 or 0.2 percent. Category 4 SBEs received \$1,939,147 or 4.2 percent. Category 5 SBEs received \$1,131,917 or 2.5 percent. \*\*\*

### **Federal & State Contracts Total**

For this reporting period, \$65,958,926 in federal and state contract dollars was awarded by NJ TRANSIT. Of that total, \$12,513,898 or 19 percent of federal and state contract dollars was won by DBEs and SBEs.

### **Hudson-Bergen Light Rail Transit System Project**

Of \$1,449,298,695 in contract dollars awarded for the Hudson-Bergen Light Rail System project\*\*\*\*, \$180,460,061 or 12.5 percent has been received by DBEs. Of the \$180,460,061, 6 percent or \$86,735,609 has been won by Women Business Enterprises (WBEs) who are classified as DBEs.

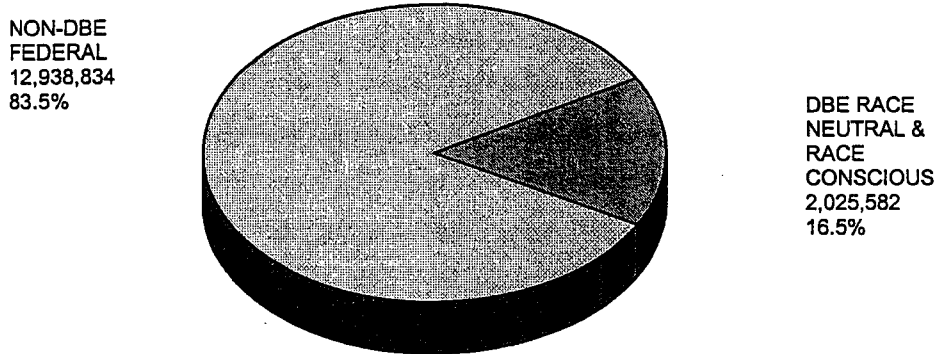
\* Fiscal year beginning October 1, 2004

\*\* Fiscal year beginning July 1, 2004

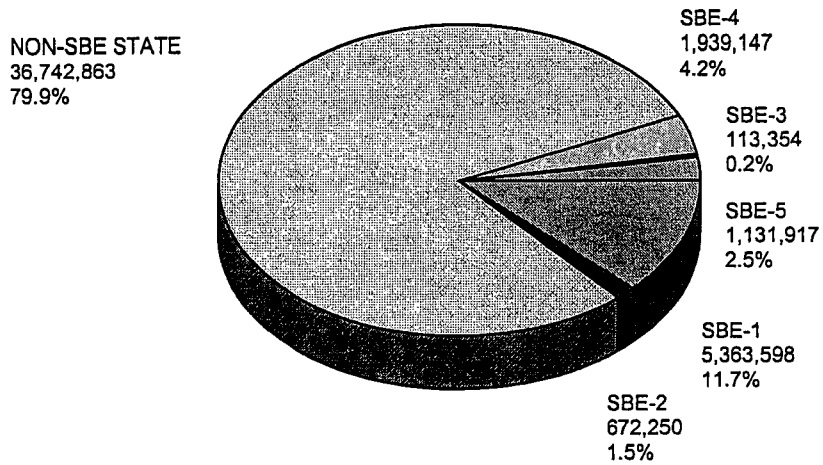
\*\*\* Cat 1-Less than \$500,000 gross revenues, Cat 2-Less than \$5 million, Cat 3-Less than \$12 million, Cat 4 (construction)-Less than \$1 million, Cat 5 (construction)-Less than \$17,420,000

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

**DBE PARTICIPATION  
FEDERAL CONTRACTS  
FEDERAL FYTD (THRU APRIL 2005)**

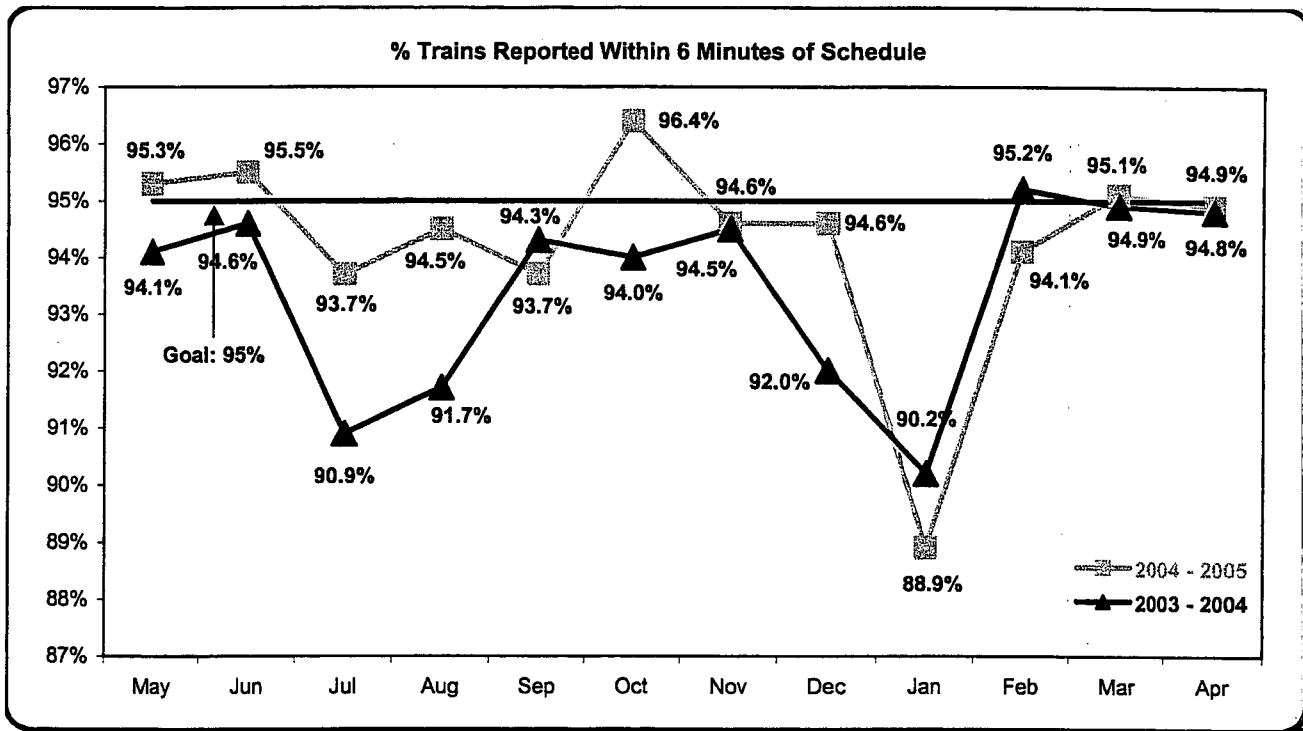


**SBE PARTICIPATION  
STATE CONTRACTS  
STATE FYTD (THRU APRIL 2005)**



# PERFORMANCE MEASURES

# NJ TRANSIT ON TIME PERFORMANCE RAIL MAY 2003 - APRIL 2005



	2004	2005	# Change
April Comparison	94.8%	94.9%	0.1%

	2003 - 2004	2004 - 2005	# Change
12-Month Average May - April	93.4%	94.3%	0.9%

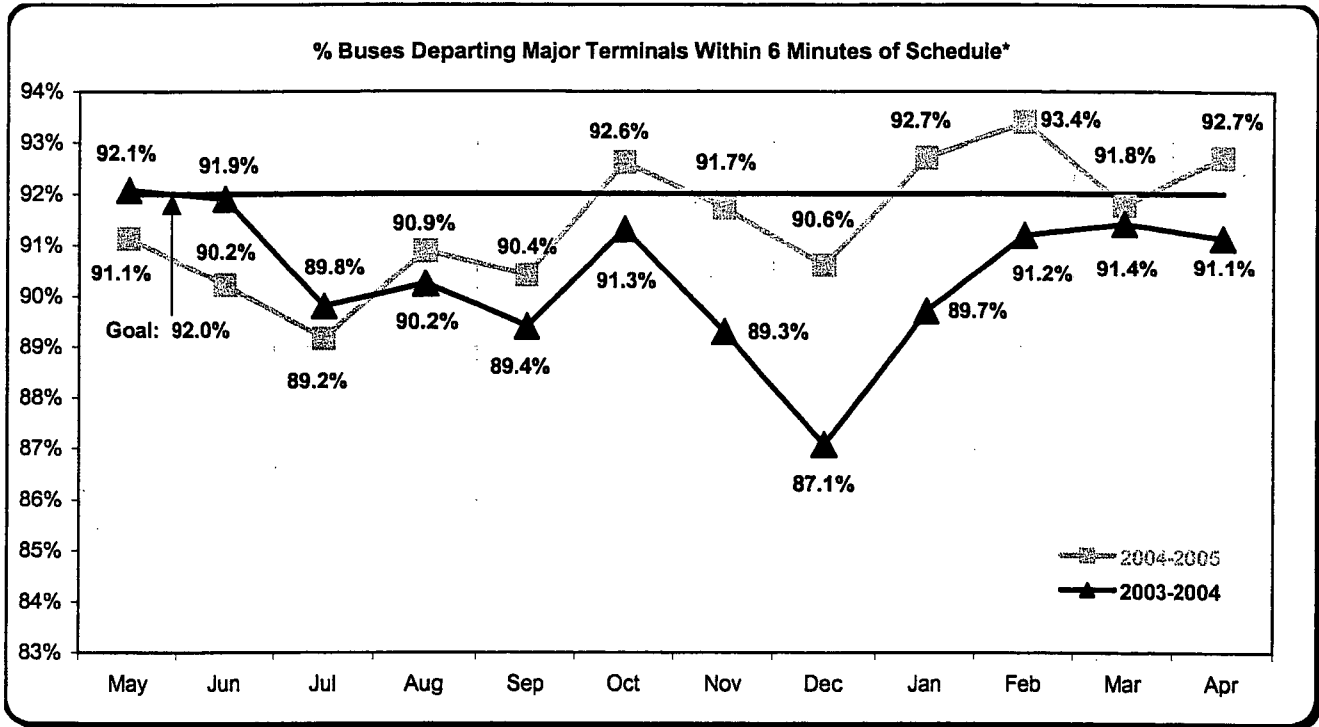
**Analysis:**

Systemwide, Rail On Time Performance for April 2005 was 94.9%, just below the goal of 95.0%. Of the 17,957 trains that were scheduled to operate, 17,033 were on time, while 924 trains (or 5.1%) were delayed.

On April 11th, Amtrak had a problem with its catenary between Newark Liberty International Airport and Harrison, resulting in delays for 49 trains. On April 20th, a brush fire along the Northeast Corridor between Secaucus Junction and the entrance to the Hudson River tunnels caused 88 delays.

The 12-month average for Rail On Time Performance systemwide for May 2004 - April 2005 was 94.3%, 0.9 of a percentage point above the average for the previous 12-month period.

# NJ TRANSIT ON TIME PERFORMANCE BUS MAY 2003 - APRIL 2005



	2004	2005	# Change
April Comparison	91.1%	92.7%	1.6%

	2003-2004	2004-2005	# Change
12-Month Average May - April	90.4%	91.4%	1.0%

### Analysis:

Bus On Time Performance for April 2005 was 92.7%, surpassing the goal of 92.0%. Of the 30,763 monitored departures, 2,232 (or 7.3%) experienced delays. Significant sources of delay included:

Gridlock during the rush hour near the Port Authority on April 4th.

Heavy traffic in Deptford Township and on the inbound side of Admiral Wilson Boulevard during the morning and evening rush hours on April 4th.

A major accident near the end of the Atlantic City Expressway on April 16th.

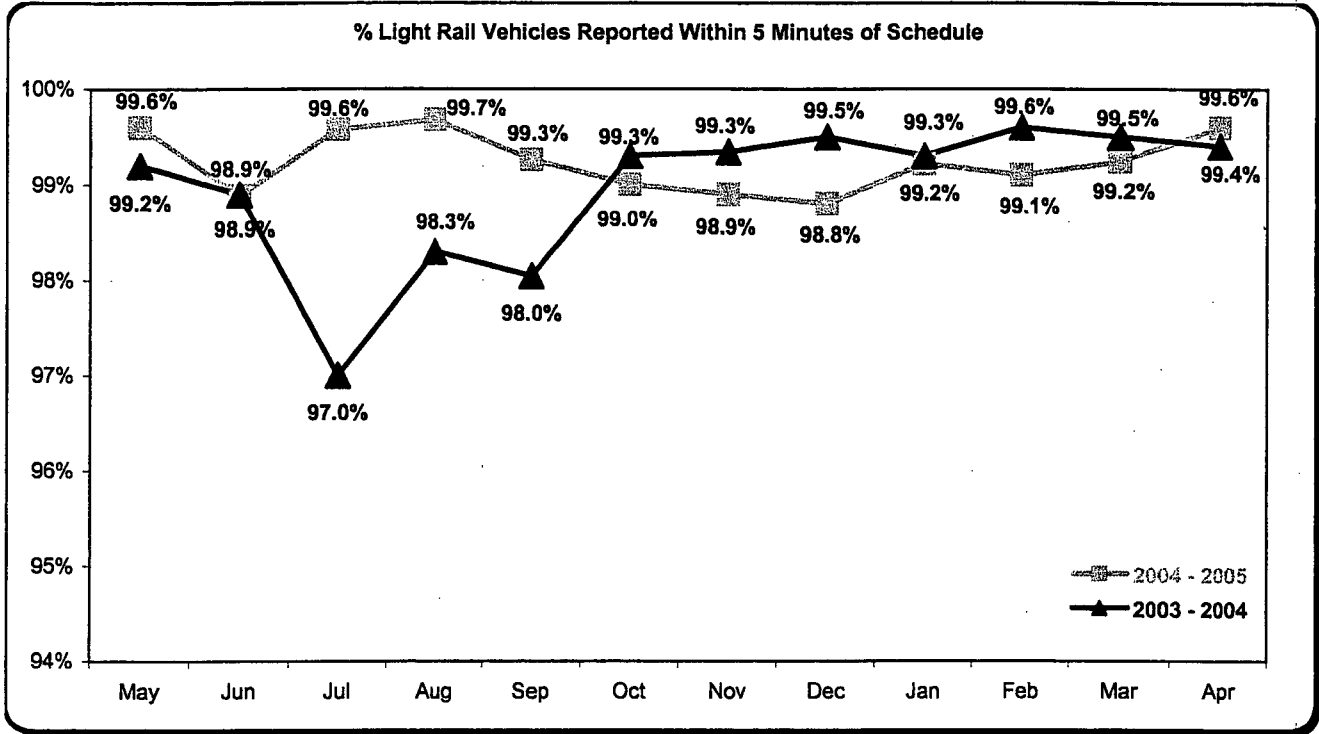
Heavy traffic in Center City, Philadelphia during the morning and evening rush hours on April 20th.

A car fire in the Lincoln Tunnel on April 29th.

The 12-month average for Bus On Time Performance for May 2004 - April 2005 was 91.4%, 1.0 of a percentage point above the average for the previous 12-month period.

\*Note: includes the Walter Rand Transportation Center, Atlantic City Bus Terminal, Port Authority Bus Terminal and Newark Penn Station

# NJ TRANSIT ON TIME PERFORMANCE HUDSON BERGEN LIGHT RAIL MAY 2003 - APRIL 2005



	2004	2005	# Change
<b>April Comparison</b>	99.4%	99.6%	0.2%

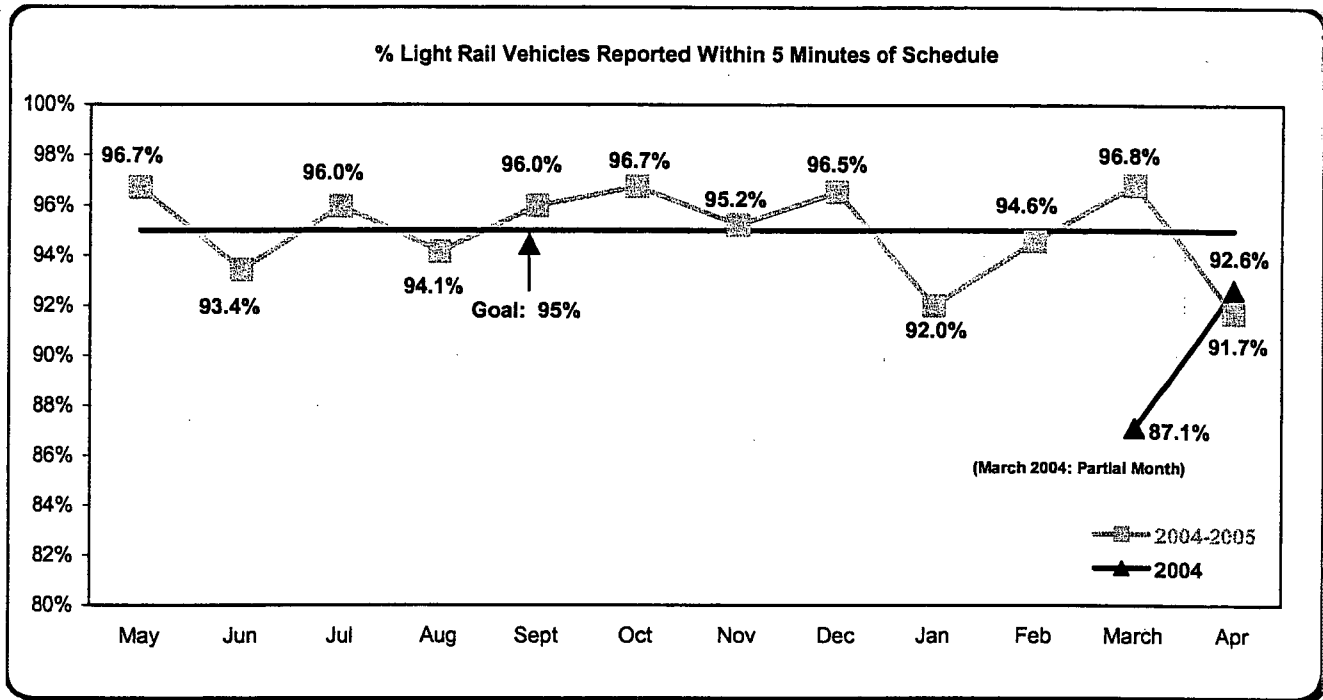
	2003 - 2004	2004 - 2005	# Change
<b>12-Month Average May - April</b>	98.9%	99.2%	0.3%

**Analysis:**

Hudson Bergen Light Rail (HBLR) On Time Performance for April 2005 was 99.6%, 0.2 of a percentage point above the rate of April 2004. Of the 15,900 scheduled trips, 69 (or 0.4%) were delayed.

The 12-month average for HBLR On Time Performance for May 2004 - April 2005 was 99.2%, 0.3 of a percentage point above the average for the previous 12-month period.

# NJ TRANSIT ON TIME PERFORMANCE River LINE MARCH 2004 - APRIL 2005



	2004	2005	# Change
<b>April Comparison</b>	92.6%	91.7%	-0.9%
<b>12-Month Average May - April</b>	N/A	95.0%	N/A

**Analysis:**

The River LINE's On Time Performance for April 2005 was 91.7%, 0.9 of a percentage point below the 92.6% level for April 2004. Of the 2,901 trips scheduled for the month, 240 delays were reported, primarily due to extensive flooding of the Delaware River on April 2nd, 3rd, and 4th. Without these delays, On Time Performance would have been approximately 96.0% for the month.

This month's performance report includes the first 12-month average statistic for River LINE since the beginning of service in March 2004. The 12-month average for River LINE On Time Performance for May 2004 - April 2005 was 95.0%, meeting the established goal for performance.

# **ACTION ITEMS**

136221

**ITEM 0505-18: NEWARK BROAD STREET STATION: CONSTRUCTION CONTRACT AWARD AND AMENDMENT TO ADD CONSTRUCTION ASSISTANCE SERVICES**

**BENEFITS**

The accessibility improvements to NJ TRANSIT's Newark Broad Street Station will provide barrier-free access to the station making rail service accessible to all customers. The installation of full length, high-level platforms will also provide boarding access to trains on all three tracks improving operating capacity at the station.

The new platforms will allow additional trains to stop at Broad Street Station improving travel options for local rail customers. The new station platforms and service plan will also facilitate transfers between Montclair-Boonton Line, Morristown Line, and Gladstone Branch trains. Customers can expect these service improvements by fall of 2007.

**PURPOSE**

The construction contract and construction assistance services contract will provide for installation of two full length, high-level platforms with historically compatible canopies, lighting, and railings. The project will also include reconstruction of railroad bridges over Martin Luther King Boulevard, University Avenue, and Broad Street, reconstruction of stairs, installation of elevators, and new public restrooms.

In anticipation of the start of construction in June, three express trains have been combined with local trains to provide operating flexibility for relocation of track and construction of the high-level platform improvements. Trains currently use all three tracks at the station, but will be limited to two tracks during construction. An operating plan has been developed to minimize impacts to customers, though periodic delays may occur as result of construction activity. Customer service representatives will be present to assist customers during the project and signage will be placed at the station to direct customers to the appropriate boarding locations.

The proposed consultant contract amendment will authorize construction assistance services to review shop drawings and material submittal reviews during construction. The construction assistance services will also support staff responses to design related questions.

**ACTION (Capital Program Justification: Capacity Improvement)**

Staff seeks authorization to contract (No. 04-089) with Conti Enterprises, Inc. of South Plainfield, NJ for the construction of accessibility and station rehabilitation improvements at Newark Broad Street Station at a cost not to exceed \$50,855,905, plus five percent for contingencies.

Staff also seeks authorization to fund Phase III (Construction Assistance) of a professional service contract (No. 02-101) with Systra Consulting of Bloomfield, NJ, for construction assistance services to support the construction contract in the amount of \$1,280,000, plus five percent for contingencies, for a total contract authorization of \$5,190,150.

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

**FISCAL IMPACTS**

<b>Requested Authorization:</b>	\$50,855,905 + 5% contingency (Construction)
	\$1,280,000 + 5% contingency (Construction Assistance Contract Amendment)
	\$5,190,150 (Total Contract)
<b>Total Project Cost:</b>	\$72,990,000
<b>Projected Date of Completion:</b>	December 2007
<b>Anticipated Source of Funds:</b>	8% - TTF 92% - FTA (CMAQ)
<b>DBE Goal (Race Conscious):</b>	21% (Construction)
<b>Related/Future Authorizations:</b>	None
<b>Impacts on Subsequent Operating Budgets:</b>	\$ 9,900 - Annually from project rental income \$150,000 - Annually for operating and maintenance costs

## RESOLUTION

**WHEREAS**, NJ TRANSIT seeks to improve the accessibility of its transportation facilities and expand operational capacity of its rail lines; and

**WHEREAS**, the proposed accessibility improvements will provide barrier-free access to the Newark Broad Street station making rail service accessible to all customers; and

**WHEREAS**, the proposed full length, high-level platforms will improve train access from all three tracks servicing the station and expand operating capacity; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to contract with Conti Enterprises, Inc. of South Plainfield, NJ for the construction of accessibility and station rehabilitation improvements at Newark Broad Street Station at a cost not to exceed \$50,855,905, plus five percent for contingencies, subject to the availability of funds; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is authorized to amend the contract with Systra Consulting of Bloomfield, NJ for Construction Assistance in support of the Newark Broad Street Station accessibility and capacity improvements at a cost not to exceed \$1,280,000, plus five percent for contingencies, for a total contract authorization of \$5,190,150, subject to the availability of funds.

**ITEM 0505-19: TRENTON STATION IMPROVEMENTS: MAIN CONSTRUCTION CONTRACT**

**BENEFITS**

The rehabilitation and expansion of the Trenton Station on the Northeast Corridor will bring this facility, last renovated in 1972, to a state of good repair. This project will also improve access, circulation and customer comfort for the 4,700 daily passengers and accommodate future ridership growth.

When complete, the project will provide improved ticketing capability, expanded waiting areas and improved passenger amenities including enhanced retail areas and accessible restrooms. The project will also include a major redesign of the plaza areas around the station with emphasis on better connections to NJ TRANSIT's River LINE and bus services to Trenton's business district.

**PURPOSE**

Authorization of this main contract will allow for the demolition and reconstruction of the station building, rehabilitation of the concourse and platform repairs at Trenton Station.

Construction has been divided into two contracts: an initial contract, which is nearing completion, includes foundation work, expansion of the basement, relocation of station utilities, and platform column repairs. The main construction contract will include reconstruction and expansion of the station building at Wallenberg Avenue, construction of a new building at Walnut Avenue, rehabilitation of the concourse and repairs to the high level platforms.

**ACTION (Capital Program Justification: State of Good of Repair)**

Staff seeks authorization to contract (No. 05-034) with Thomas P. Carney, Inc. of Langhorne, PA for construction of Trenton Station Rehabilitation – Main Contract for reconstruction of the station building, rehabilitation of the concourse and platform repairs at a cost not to exceed \$53,237,058, plus five percent for contingencies.

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

**FISCAL IMPACT**

<b>Requested Authorization:</b>	\$53,237,058 + 5% contingency (Main Construction Contract)
<b>Total Project Cost:</b>	\$73,847,000
<b>Projected Date of Completion:</b>	Main Contract – July 2007

<b>Anticipated Source of Funds:</b>	Federal Earmarks; TTF
<b>DBE Goal:</b>	25%
<b>Related/Future Authorizations:</b>	None
<b>Impacts on Subsequent Operating Budgets:</b>	\$1,830,000 annually for utilities and maintenance costs (Building size increases by 141%)

## RESOLUTION

**WHEREAS**, NJ TRANSIT seeks to improve its transportation facilities and maintain them in a state of good repair; and

**WHEREAS**, the rehabilitation and improvement of the Trenton Station on the Northeast Corridor is necessary to improve access, circulation and customer comfort for the existing 4,700 daily passengers and to accommodate future ridership growth; and

**WHEREAS**, the main construction contract includes demolition, reconstruction and expansion of the station building at Wallenberg Avenue, construction of a new building at Walnut Avenue, rehabilitation of the concourse and platform repairs to the areas surrounding the station; and

**WHEREAS**, following the completion of a competitive procurement process, it was determined that Thomas P. Carney, Inc. was the lowest responsive and responsible bidder;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to contract with Thomas P. Carney, Inc. of Langhorne, PA, for the construction of the Trenton Station Improvements – Main Construction Contract for reconstruction of the station building, rehabilitation of the concourse and platform repairs at a cost not to exceed \$53,237,058, plus five percent for contingencies, subject to the availability of funds.

**ITEM 0505-20: PASCACK VALLEY LINE – LONG PASSING SIDINGS:  
CONSTRUCTION CONTRACT AWARD, WETLANDS MITIGATION  
CREDIT PURCHASES AND CONSTRUCTION ASSISTANCE  
SERVICES**

**BENEFITS**

The proposed Long Passing Sidings is part of a program of improvements to the Pascack Valley Line to accommodate bi-directional and off-peak rail service. These service enhancements will provide customers with a wider range of travel options to in-state destinations and New York City.

Today, the Pascack Valley Line is a single-track rail line that is designed for peak-period service to Hoboken in the morning and from Hoboken in the evening. The addition of Long Passing Sidings and three other sidings under construction will enable trains to pass each other, providing operational flexibility that will allow trains to operate in both directions at all times of the day. The additional rail service will provide riders on the line with more train departures from Hoboken and intermediate stations. Customers can expect these service improvements by fall of 2007.

The new track capacity provided by Long Passing Sidings will enhance operational reliability for Pascack Valley Line trains by reducing rail freight conflicts. Long Passing Sidings is also compatible with the planned Meadowlands rail spur.

**PURPOSE**

Authorization of these contracts will prepare the Pascack Valley Line for bi-directional rail service. Long Passing Sidings will accommodate existing freight service and with three other sidings under construction, will allow trains to pass each other on the single-track railroad. Long Passing Sidings will be located in Rutherford, East Rutherford, Carlstadt and Wood Ridge.

The first phase of the siding project requires general construction improvements to prepare the site for track work including excavation, backfill, drainage, soil remediation, retaining wall construction, and conduit installation. NJ TRANSIT in-house forces will install track, switches, and the signal system subsequent to construction of the site improvements.

This authorization will also approve the wetlands mitigation plan to replace 1.33 acres of wetlands through Marsh Resources Inc., a local wetland bank that has been approved by the New Jersey Department of Environmental Protection.

Finally, this authorization will approve the amendment of the current construction assistance contract with Parsons Brinckerhoff Inc.

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

Staff seeks authorization to contract (No. 05-057) with Union Paving and Construction Co. of Mountainside, NJ for construction of Long Passing Sidings at a cost not to exceed \$4,057,050, plus five percent for contingencies.

Staff also seeks authorization to contract with Marsh Resources, Inc. of Houston, TX for wetland mitigation credits in the amount of \$618,450, plus five percent for contingencies.

Staff also seeks authorization to amend the contract (No. 00-052) with Parsons Brinckerhoff Inc. of Newark, NJ for construction assistance services in the amount of \$200,000, plus five percent for contingencies for a total contract authorization of \$5,919,674.

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

**FISCAL IMPACTS**

<b>Requested Authorizations:</b>	\$4,057,050 + 5% contingency (Construction)
	\$200,000 + 5% contingency (Construction Assistance)
	\$5,919,674 + 5% contingency (Total Contract)
	\$618,450 + 5% contingency (Marsh Resources Inc. for wetland credits)

**Total Project Cost:** \$39,700,000 PVL Sidings

**Projected Date of Completion:** June 2007

**Anticipated Source of Funds:** FTA/TTF/Metro North/PA of NY & NJ  
**DBE Goal:** 23%

**Related/Future Authorizations:** None

**Impacts on Subsequent Operating Budgets:** \$6,000,000

**RESOLUTION**

**WHEREAS**, transportation forecasts and customer requests indicate a need to provide bi-directional and off-peak rail service on the single-track Pascack Valley Line; and

**WHEREAS**, the proposed Long Passing Sidings on the Pascack Valley Line will allow for bi-directional commuter rail service; and

**WHEREAS**, following a competitive procurement process, Union Paving and Construction Co. submitted the lowest responsive and responsible bid for the general construction improvements; and

**WHEREAS**, wetlands mitigation credits will be provided by Marsh Resources Inc.; and

**WHEREAS**, construction assistance services will be provided by the project design firm, Parsons Brinckerhoff of Newark, NJ;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to contract with Union Paving and Construction Co. of Mountainside, NJ for the general construction of the Long Passing Sidings at a cost not to exceed \$4,057,050, plus five percent for contingencies, subject to the availability of funds; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is authorized to contract with Marsh Resources, Inc. of Houston, TX for purchase of wetlands mitigation credits in the amount of \$618,450, plus five percent for contingencies, subject to the availability of funds; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is authorized to amend the contract with Parsons Brinckerhoff of Newark, NJ for construction assistance services at a cost not to exceed \$200,000, plus five percent for contingency, for a total contract authorization of \$5,919,674 subject to the availability of funds.

**ITEM 0505-21: PASCACK VALLEY LINE – TRACK MATERIAL PROCUREMENT CONTRACT**

**BENEFITS**

The installation of passing sidings on the Pascack Valley Line will allow for midday and weekend bi-directional rail service between Spring Valley, NY and Hoboken, NJ. These service enhancements will provide customers a wider range of travel options by train to in-state destinations and New York.

**PURPOSE**

This authorization is required to purchase track turnouts and crossovers that will be installed on the Pascack Valley Line as part of the passing sidings project. The track turnouts and crossovers allow trains to move from one track to another. NJ TRANSIT rail forces will install the track, turnouts and crossovers.

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

Staff seeks authorization to contract with (No. 05-627) VAE Nortrak of Birmingham, AL for the purchase of track material at a cost not to exceed \$3,043,432, plus five percent for contingencies.

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

**FISCAL IMPACTS**

<b>Requested Authorization:</b>	\$3,043,432 + 5% contingency (Track Material Procurement)
<b>Total Project Cost:</b>	\$39,700,000 Pascack Valley Line Sidings
<b>Projected Date of Completion:</b>	June 2007
<b>Anticipated Source of Funds:</b>	FTA/TTF/Metro North/PA of NY and NJ
<b>DBE Goal:</b>	Race Neutral
<b>Related/Future Authorizations:</b>	TLM
<b>Impacts on Subsequent Operating Budgets:</b>	None

**RESOLUTION**

**WHEREAS**, transportation forecasts and customer requests indicate a need to provide bi-directional and mid-day rail service on the single-track Pascack Valley Line; and

**WHEREAS**, the proposed sidings on the Pascack Valley Line will accommodate bi-directional commuter rail service; and

**WHEREAS**, authorization of the track material procurement contract will allow construction of the sidings to proceed; and

**WHEREAS**, following the completion of a competitive procurement process it was determined that VAE Nortrak, was the lowest responsive and responsible bidder;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to contract with VAE Nortrak of Birmingham, AL for the track material procurement contract at a cost not to exceed \$3,043,432, plus five percent for contingencies, subject to the availability of funds.

**“THIS ITEM WAS TABLED”**

**ITEM 0505-22: NORTHERN BRANCH ENVIRONMENTAL IMPACT ANALYSIS:  
CONTRACT AMENDMENT**

**BENEFITS**

The proposed contract amendment will complete the environmental impact analysis and concept planning work for reactivation of passenger rail service on the Northern Branch in Eastern Bergen County. The proposed work will be completed as part of ongoing environmental studies for reactivation of rail service in the West Shore Region. Additional concept planning will be advanced for proposed passenger rail service on the West Shore rail line.

The Northern Branch rail line is consistent with NJ TRANSIT's Tri-County Rail Plan for Hudson, Bergen, and Passaic Counties unveiled at a transportation summit in October 2004 and subsequently presented at several other forums.

**PURPOSE**

The authorization will allow an environmental impact analysis of Federal Railroad Administration compliant diesel multiple unit (DMU) rail service on the Northern Branch, a type of rail service powered by self-propelled railcars. This work will also include delineation of infrastructure elements and operations analysis for DMU vehicles and public outreach in support of the rail expansion plan.

The amended authorization will also include planning work for future transit services including the proposed West Shore rail line that would build on regional connectivity provided by Secaucus Junction and the Meadowlands Sports Complex rail station, now in final design.

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

Staff seeks authorization to increase funding for the contract (No. 95CRO62) with Edwards & Kelcey, Inc. of Morristown, NJ in the amount for \$1,617,686, plus five percent for contingencies, for professional services to complete the environmental impact analysis for the Northern Branch service and for general planning and public outreach for transit service in the Meadowlands area for a total contract authorization of \$6,318,281.

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

**FISCAL IMPACTS**

**Requested Authorization:** \$1,617,686 + 5% contingency (Increase)  
\$6,318,281 (Total Contract)

**“THIS ITEM WAS TABLED”**

<b>Total Project Cost:</b>	\$6,600,000
<b>Projected Completion Date:</b>	May 2006
<b>Anticipated Source of Funds:</b>	FTA FY2002 Sec. 5309 Bus Earmark (NJ-03-0152)
<b>DBE Goal/Participation:</b>	35% Goal for project
<b>Related/Future Authorizations:</b>	Authorization to initiate preliminary engineering, land acquisition, final design, construction, construction management, and construction assistance
<b>Impacts on Subsequent Operating Budgets:</b>	N/A

**“THIS ITEM WAS TABLED”**

**RESOLUTION**

**WHEREAS**, NJ TRANSIT is working to improve the quality and expand the availability of the public transit system; and

**WHEREAS**, restoration of passenger rail service on the Northern Branch and transit access improvements in the greater Meadowlands area will support this goal; and

**WHEREAS**, completion of the environmental impact analysis will evaluate use of Federal Railroad Administration compliant diesel multiple unit rail cars on the Northern Branch and concept planning work will identify changes to transit service in the Meadowlands area to improve regional connectivity; and

**WHEREAS**, NJ TRANSIT previously contracted with Edwards & Kelcey, Inc. to begin the environmental impact analysis for the Northern Branch as part of the West Shore Region environmental studies;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to amend the contract (No. 95CRO62) with Edwards & Kelcey, Inc. of Morristown, NJ in the amount for \$1,617,686, plus five percent for contingencies for professional services to complete the environmental impact analysis for the Northern Branch service and for general planning and public outreach for transit service in the Meadowlands area for a total contract authorization of \$6,318,281, subject to the availability of funds.

**ITEM 0505-23: ACCESS LINK SERVICE PROVIDER CONTRACT FOR REGION 2,  
NEW JERSEY**

**BENEFITS**

Authorization of this contract will ensure that NJ TRANSIT remains in compliance with its federal obligation to provide the Americans with Disabilities Act (ADA) paratransit service to residents and visitors. It will enable people with disabilities, who are unable to use NJ TRANSIT's fixed route local bus service, to become more independent, productive and increase their community participation. Approval of this contract will continue support of NJ TRANSIT's initiatives in the critical area of serving customers. The contract contains enhanced standards for Access Link, regarding customer service, performance incentives, operator development, system efficiency, vehicle maintenance, and quality safeguards. The contract incorporates recommendations from the Efficiency Study recently completed by TranSystems Corporation.

Contract approval allows NJ TRANSIT to work cooperatively with the private sector to deliver competitively procured paratransit service. Growth and management over time facilitates higher productivity in delivering the service and longer contract terms enable economies of scale. This results in a lower cost per trip. (Average cost per trip including administrative costs in FY 2003 was \$53.11; average in FY 2004 was approximately \$47.30).

**PURPOSE**

NJ TRANSIT's plan for this service calls for contractors to provide service in different regions throughout the State. This contract will enable NJ TRANSIT to contract with a service provider to continue service in Burlington, Camden, Cumberland, Gloucester and Salem Counties in New Jersey and Center City, Philadelphia, PA.

**ACTION (Justification: Mandate)**

Staff seeks authorization to contract (No. 05-040) with Laidlaw Transit Services, Inc., of Shawnee Mission, KS for the provision of ADA paratransit service in Region 2, Burlington, Camden, Cumberland, Gloucester and Salem Counties in New Jersey, and Center City, Philadelphia, PA. This is a seven-year contract (three-year base and two two-year options). The contract amount will not exceed \$48,000,000, plus five percent for contingencies, for the period September 10, 2005 to July 13, 2012.

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

**FISCAL IMPACTS**

<b>Requested Authorization:</b>	Not to exceed \$48,000,000 + 5% contingency
<b>Total Project Cost:</b>	Not to exceed \$48,000,000 + 5% contingency (7 year contract - 3-year base, two 2-year options)

**Projected Date of Completion:** Project is ongoing.

**Anticipated Source of Funds:** FY's 2006-07-08-09-10-11-12-13 - Operating Budgets

**DBE Goal:** 5%

**Related/Future Authorization:** In FY 2005 \$1,400,000 has been provided to bring the Access Link Computer system in-house to the NJ TRANSIT Data Center, (currently hosted in Virginia by Bearing Point Consulting). This authorization will also maintain the computer system and support its growth. The total estimated cost of the new computer system is \$14,300,000, authorized by the Board in March 2000

In FY 2005, \$2,400,000 is authorized for the statewide purchase of 42 vehicles (sedans and vans) for fleet expansion and vehicle replacement; of the 42 approximately 18 vehicles are slated for Region 2

**RESOLUTION**

**WHEREAS**, in July 1990, the Americans with Disabilities Act (ADA) was signed into law requiring public entities operating fixed route transportation systems to provide paratransit services for individuals with disabilities; and

**WHEREAS**, NJ TRANSIT must comply with all applicable provisions of ADA; and

**WHEREAS**, the existing contract for Access Link paratransit service in Region 2, Burlington, Camden, Cumberland Gloucester and Salem Counties in New Jersey and Center City, Philadelphia, PA, will expire September 9, 2005; and

**WHEREAS**, the requirement to provide Access Link service is an ongoing requirement of the Federal Government that must be provided continuously without interruption; and

**WHEREAS**, following completion of a competitive procurement process, Laidlaw Transit Services, Inc. was determined to be the highest ranked proposer;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to contract with Laidlaw Transit Services, Inc. of Shawnee Mission, KS for the continued provision of ADA paratransit service in Region 2, Burlington, Camden, Cumberland, Gloucester and Salem Counties in New Jersey and Center City, Philadelphia, PA, for a total amount not to exceed \$48,000,000, plus five percent for contingencies. This contract will span eight fiscal years, however the contract term is seven years in total with a three-year base and two two-year options. Funding of this agreement shall be subject to Board approval of NJ TRANSIT's operating budgets and the availability of funds.

**ITEM 0505-24: SOLE/SINGLE SOURCE VENDORS PURCHASE OF REPLACEMENT PARTS AND SERVICES (BUS, RAIL AND HEADQUARTERS)**

**BENEFITS**

Materials and services which are available from only one source of supply are exempt from competitive bidding under N.J.S.A. 27:25-11 and N.J.S.A. 52:34-10 and for the most part the vendors have proprietary control over the manufacture of parts and components needed for NJ TRANSIT equipment.

The need for NJ TRANSIT to exercise sole and single source authority relates to general areas of procurement. Specific areas include, but are not limited to, the following:

**Replacement Parts from Original Equipment Manufacturers (OEMs)**

These parts or components are needed to repair and maintain rolling stock equipment specifically designed by the OEM manufacturer, where available technical data does not assure that a part or component supplied by another vendor will adequately perform the same function it replaces.

Anticipated major sole source vendors include Bombardier Transportation, GM Electro-Motive Division (EMD), ALSTOM Transportation, WABCO, MCI Service Parts, Kinkisharyo, NeoPlan and Prevost-Nova Bus.

**Sole Supplier Services**

Certain apparatus can only be serviced and/or tested by sole/single source vendors. For example, Sperry Rail Services is the only industry recognized source capable of simultaneously testing rail by induction and ultrasound methods. Systems America Inc. is the only qualified source for the repair of Solari display units.

**Rail Rolling Stock Brake Shoes**

NJ TRANSIT operates approximately 1,027 passenger rail cars and locomotives daily. Brake shoes are replaced on all in-service equipment approximately every 20 days depending on service demands and equipment cycling. The brake shoes are specialized equipment and are available from one source of supply. Based upon past experience and test results, these products alone have met the required acceptable stop distances, wheel heat generation and acceptable shoe and wheel wear.

## **Additional Bus and Rail Requirements**

Over the past years, the Board has authorized sole/single approved source contracts for various materials and services. In each of the previous authorizations, the funding was predicated upon the anticipated volume of sole source purchases. Staff has developed, where feasible, competitive bid specifications for several of the major components requiring heavy duty electrical repairs and other items such as passenger car brake pads, non-revenue repair services, train servicing, traction motor and gear unit repairs, etc.

### **PURPOSE**

The operation and maintenance of NJ TRANSIT Bus, Rail and Headquarters requires the purchase of maintenance spares, services, modifications, upgrades and other programs, which can only be obtained from approved sole and single sources.

### **ACTION (Justification: Business Efficiencies)**

Staff requests authorization to enter into sole or single source procurement-by-exception contracts for the purchase of materials and services from approved vendors to support Bus, Rail and Headquarters operations at a cost not to exceed \$20,000,000. This request will cover a 12-month period. All items or services purchased on a sole/single source basis will be subject to price or cost analysis to ensure the reasonableness of the prices provided.

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

### **FISCAL IMPACTS**

<b>Requested Authorization:</b>	Not to exceed \$20,000,000
<b>Total Project Cost:</b>	\$20,000,000
<b>Projected Date of Completion:</b>	June 30, 2006
<b>Anticipated Source of Funds:</b>	FY2006 Operating Budget Capital Budgets
<b>DBE Goals:</b>	N/A
<b>Related/Future Authorization:</b>	N/A

**RESOLUTION**

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

**WHEREAS**, it is necessary to obtain these required maintenance items and services from a sole/single source; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11 and N.J.S.A. 52:34-10 competitive bidding requirements may be waived in instances where only one source of supply is available;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to enter into sole/single source, procurement-by-exception, contracts for the purchase of parts and services from approved sole/single source vendors at a total cost not to exceed \$20,000,000 for the period July 1, 2005 to June 30, 2006, subject to the availability of funds.

**ITEM 0505-25: SOUTHERN NEW JERSEY RAIL GROUP VS. NJ TRANSIT: COMPENSATION OF SPECIAL COUNSEL**

**BENEFITS**

Sills Cummis Epstein & Gross (Sills Cummis) is an established firm providing comprehensive legal services. The designation of Sills Cummis as Special Counsel provides NJ TRANSIT with additional resources and expertise in the defense of a major construction litigation. Additionally, Sills Cummis will retain experts in the areas required to support NJ TRANSIT on an as needed basis. A Special Master has been appointed to manage the discovery process and oversee preparation of the case for trial.

**PURPOSE**

In November 2002, the Attorney General designated Sills Cummis as Special Counsel to NJ TRANSIT in defending the lawsuit filed by Southern New Jersey Rail Group, the Design-Build-Operate-Maintain (DBOM) contractor for the River LINE (Southern New Jersey) Light Rail project. Sills Cummis has been providing litigation services to NJ TRANSIT since December 2002 under Board authorization. Staff anticipates the need for periodic Board authorization before the litigation is resolved.

**ACTION**

Staff seeks additional authorization to compensate the law firm of Sills Cummis Epstein & Gross as Special Counsel to NJ TRANSIT in accordance with the Attorney General's designation for comprehensive litigation support services, including the retention of experts, up to an additional \$1,500,000 for a total contract authorization of \$10,590,00 for continuing legal services. Subsequent litigation budgets will be submitted for approval as required.

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

**FISCAL IMPACTS**

<b>Requested Authorization:</b>	Increased Authorization	\$1,500,000
	Total Authorization	\$10,590,000
<b>Total Project Cost:</b>	N/A	
<b>Projected Date of Completion:</b>	N/A	
<b>Anticipated Source of Funds:</b>	Transportation Trust Fund	

**DBE Goal:**

N/A

**Related/Future Authorizations:**

Increase in Contract Authorization for Sills  
Cummis, dependent on litigation schedule

**Impact on Subsequent  
Operating Budgets:**

N/A

## RESOLUTION

**WHEREAS,** NJ TRANSIT requires additional resources and legal expertise in conjunction with defending Southern New Jersey Rail Group v. NJ TRANSIT, a lawsuit filed by the Design-Build-Operate-Maintain (DBOM) contractor for the River LINE (Southern New Jersey) Light Rail project; and

**WHEREAS,** the Attorney General has designated Sills Cummis Epstein & Gross as Special Counsel to represent NJ TRANSIT in this matter;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is hereby authorized to compensate Sills Cummis Epstein & Gross as Special Counsel in accordance with the Attorney General's designation for comprehensive litigation support services including the retention of experts, up to an additional \$1,500,000 for continuing legal services. This authorization will bring the total contract authorization to \$10,590,000, subject to the availability of funds. Subsequent litigation budgets will be submitted for approval as required.

136244

# CONSENT CALENDAR

**ITEM 9595-26: LEASE TO CITY OF CAMDEN (PORTION OF PEMBERTON BRANCH)**

**BENEFITS**

Approval of this item to authorize the lease of 4.03 acres of land in east Camden – an approximately 4,000-foot right-of-way of an inactive portion of NJ TRANSIT's Pemberton Branch -- will enable the Camden Redevelopment Agency to create a pathway that contributes to replacing parkland on which the New Jersey Schools Construction Corporation plans to build the Octavius V. Catto Community School and Boys and Girls Club of Camden as an Abbott demonstration project. NJ TRANSIT's land will benefit the community by facilitating creation of the new educational facility. It will connect the new school and the replacement park.

The lease to the City of Camden will provide both actual and potential economic benefits to NJ TRANSIT. NJ TRANSIT will receive a lump-sum payment of \$85,000. The City will be required to maintain the property and provide appropriate insurance, thereby reducing NJ TRANSIT's maintenance and risk-management responsibilities. In addition, the City will remove rails and ties that have outlived their useful life and that NJ TRANSIT otherwise would need to pay to remove if it were to reactivate the rail line upon termination of the lease.

**PURPOSE**

The purpose of this item is to authorize the lease of 4.03 acres of an inactive portion of the Pemberton Branch in Camden for which NJ TRANSIT has no current transportation purpose to the City of Camden in consideration of a lump-sum payment \$85,000 and other consideration for a term of 20 years, which term the parties may extend for up to four consecutive five-year terms, and subject to NJ TRANSIT's right, exercisable after the 10th anniversary of the lease, to terminate the lease upon 12 months' notice if the former railroad right-of-way is needed for railroad or other public transportation purposes.

**ACTION (Justification: Business Efficiencies)**

Authorize the Chairman or Executive Director to enter into all necessary agreements with, and take all necessary actions with regard to, the City of Camden to lease to the City for 20 years, in consideration of the City's payment of \$85,000 and other consideration, approximately 4.03 acres of an inactive portion of the Pemberton Branch in Camden for use solely for public purposes such as a public greenway, bicycle path, jogging path or other recreational roadway subject to NJ TRANSIT's right to terminate the lease beginning in the eleventh year of the lease upon 12 months' notice should the railroad property be needed for railroad or other public transportation purposes.

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

## FISCAL IMPACTS

**Requested Authorization:**

Authorization to enter into all necessary agreements with, and take all necessary actions with regard to, the City of Camden to lease to the City for 20 years, in consideration of the City's payment of \$85,000 and other consideration, approximately 4.03 acres of an inactive portion of the Pemberton Branch in Camden for use solely for public purposes such as a public greenway, bicycle path, jogging path or other recreational roadway subject to NJ TRANSIT's right to terminate the lease beginning in the eleventh year of the lease upon 12 months' notice should the railroad property be needed for railroad or other public transportation purposes.

<b>Total Project Cost:</b>	N/A
<b>Projected Date of Completion:</b>	N/A
<b>Anticipated Source of Funds:</b>	N/A
<b>DBE Goal:</b>	N/A
<b>Related/Future Authorizations:</b>	N/A
<b>Impacts on Subsequent Operating Budgets:</b>	N/A

**RESOLUTION**

**WHEREAS**, NJ TRANSIT owns the Pemberton Branch railroad between Camden and Mount Holly; and

**WHEREAS**, a portion of the Pemberton Branch in Camden is inactive and not currently used for railroad transportation purposes; and

**WHEREAS**, the Camden Redevelopment Agency seeks to develop the Octavius V. Catto Community School and Boys and Girls Club of Camden on part of the Dudley Grange Park adjacent to the Pemberton Branch; and

**WHEREAS**, NJ TRANSIT has no immediate railroad transportation use for the inactive portion of the Pemberton Branch in Camden; and

**WHEREAS**, leasing a portion of the Pemberton Branch to the City of Camden will benefit NJ TRANSIT in the form of a lump-sum payment, reduced maintenance and risk-management responsibilities, and removal of rails and ties that have outlived their useful life and that NJ TRANSIT otherwise would need to pay to remove if it were to reactivate the rail line upon termination of the lease; and

**WHEREAS**, NJ TRANSIT in the future may wish to use all or a portion of the Pemberton Branch for transportation purposes;

**NOW, THEREFORE, BE IT RESOLVED** the Chairman or Executive Director is authorized to enter into all necessary agreements with, and take all necessary actions with regard to, the City of Camden to lease to the City for 20 years, in consideration of the City's payment of \$85,000 and other consideration, approximately 4.03 acres of an inactive portion of the Pemberton Branch in Camden for use solely for public purposes such as a public greenway, bicycle path, jogging path or other recreational roadway subject to NJ TRANSIT's right to terminate the lease beginning in the eleventh year of the lease upon 12 months' notice should the railroad property be needed for railroad or other public transportation purposes.

**ITEM 0505-27: TEMPORARY INTERIM EXTENSION OF CARRIER CONTRACTS FOR HEALTHCARE, LIFE AND SURVIVOR INCOME BENEFITS**

**BENEFITS**

NJ TRANSIT staff is currently in the process of an extensive review of comprehensive proposals for the administration and/or insurance of NJ TRANSIT's Healthcare, Life, Disability and Survivor benefit plans. This process began last year with a rigorous review of plan design and cost trends. As part of this five-year contracting cycle, staff is focusing on reducing costs while continuing to provide an effective and competitive benefit package for active and retired non-agreement and agreement employees and their eligible dependents. The Request for Proposals (RFP) evaluation, selection and negotiation process is expected to conclude sometime this summer. Authorization of the extension of contracts with the current carriers will provide a safety valve to insure that the selection and notification processes, as well as communication with employees, receive the thoughtful, careful consideration that is warranted. The proposed extension will insure the seamless continuation of healthcare, life and survivor income benefits for a necessary period of up to an additional six months, from July 1, 2005 through December 31, 2005, at no incremental cost to NJ TRANSIT.

**PURPOSE**

In 2002, a mini RFP was conducted before exercising the final two-year option on the five-year contracts established in 2000 with the current carriers. Last year, a number of cost and trend reviews were completed in addition to the routine annual reviews done by Human Resources and Finance. In early 2005, a RFP was advertised for insurance carriers to administer all group healthcare plans, including medical, flexible spending accounts, mental health and substance abuse programs, supplemental sickness, dental, prescription drug and vision, under self-insured funding agreements, and for insured policies for life, accidental death and dismemberment, and long term disability for all active and retired employees of NJ TRANSIT. Because of the large number of respondents and the volume and complexity of the technical information presented in each proposal, as well as the need to insure a rigorous review of programs and strategy in this area, it is anticipated that the allotted time for review may need to be extended.

In the event the technical evaluations and selections of the proposing carriers have not been completed in time for the Board to consider, review and authorize new contracts by July 1, 2005, staff believes it would be prudent to extend the various contracts with the insurance carriers who administer and/or insure all groups of NJ TRANSIT's employees and retirees, at the rates and levels of service currently in effect.

**ACTION (Justification: Business Efficiencies)**

Staff seeks authorization to extend NJ TRANSIT's contracts with its current insurance carriers, at the current rates, for a period of up to six months, beginning July 1, 2005, if necessary, to ensure continuation of healthcare, life and survivor income coverage for NJ TRANSIT employees, retirees and eligible dependents until contracts with new carriers are awarded and implemented.

Administrative fees for all groups should not exceed \$3,750,000 for the period of July 1, 2005 through December 31, 2005.

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

**FISCAL IMPACT**

<b>Requested Authorization:</b>	Not to exceed annual budgeted amounts
<b>Anticipated Source of Funds:</b>	FY 06 Operating Budget
<b>Projected Date of Completion:</b>	December 31, 2005
<b>DBE Goals:</b>	N/A

## RESOLUTION

**WHEREAS**, NJ TRANSIT has issued a Request for Proposals (RFP) from insurance carriers to administer all group healthcare, life and survivor income benefit plans provided to its active and retired agreement and non-agreement employees and eligible dependents; and

**WHEREAS**, NJ TRANSIT's aim is to complete a rigorous review of its plans, however, the number of proposers responding to the RFP and the volume and detailed nature of the technical information presented may require an extended evaluation period; and

**WHEREAS**, a longer evaluation period may affect the awarding and implementation of contracts with new carriers; and

**WHEREAS**, NJ TRANSIT wishes to ensure the continuation of healthcare, life and survivor income coverage for its active employees and retirees during this period;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to extend NJ TRANSIT's contracts with its current insurance carriers, at the current rates, for a period of up to six months beginning July 1, 2005, if necessary to ensure continuation of healthcare, life and survivor income coverage for NJ TRANSIT employees, retirees and eligible dependents until contracts with new carriers are awarded and implemented. Administrative fees for all groups should not exceed \$3,750,000 for the period of July 1, 2005 through December 31, 2005.