



JOHN W. BARTLETT, CHAIR

BOARD MEETING AGENDA

July 10, 2023

10:30 AM

Note: This meeting is being held **in-person** at Great Falls Center, 39 McBride Avenue Extension, Paterson, NJ. Third Floor meeting room.

Public comments can be made in-person or via a special Zoom meeting link which requires registration in advance at NJTPA@NJTPA.org by Friday July 7, 2023.

- A. Open Public Meetings Act Compliance
- B. Salute to the Flag
- C. Roll Call
- D. Approval of Minutes
- E. Chair's Remarks
- F. Executive Director's Report
- G. Presentation: How Transportation & Redevelopment are Coming Together to Better Prepare Passaic for the Future – Mayor Hector C. Lora
- H. Committee Reports/Action Items*

• Project Prioritization – Commissioner John P. Kelly, Chair

1. Approval of the Initial Financial Plan for the Portway, Fish House Road/Pennsylvania Avenue, CR 659 Project (Attachments H.1.a., H.1.b., H.1.c.)
2. Minor Amendment to the FY 2022 – 2025 Transportation Improvement Program to Add Federal Funds to the Portway, Fish House Road/Pennsylvania Avenue, CR 659 Project in Hudson County as Requested by the New Jersey Department of Transportation (Attachments H.2.a., H.2.b.)

* Following the Committee Reports, there will be an opportunity for public comment prior to any Action Item vote.

3. Minor Amendments to the FY 2022 – 2025 Transportation Improvement Program to Add Federal Funds to the Pavement Preservation, NJTPA Regional Program as Requested by the New Jersey Department of Transportation (Attachment H.3.a., H.3.b.)
 4. Minor Amendment to the FY 2022 – 2025 Transportation Improvement Program to Add the Pavement Preservation, Statewide Program as Requested by the New Jersey Department of Transportation (Attachments H.4.a., H.4.b.)
- Planning and Economic Development – Commissioner Charles Kenny, Chair
 - Freight Initiatives – Commissioner Jason Sarnoski, Chair
- I. Public Participation – Members of the public who wish to comment via Zoom must register in advance at NJTPA@NJTPA.org by Friday, July 7, 2023. A link will be provided.
 - J. Time and Place of Next Meeting: The next meeting of the NJTPA will be held in-person, on September 12, 2023 at 10:30 a.m. at the NJTPA, One Newark Center (1085 Raymond Blvd.), Newark, NJ 07102.
 - K. Adjournment



JOHN W. BARTLETT, CHAIR

Board Meeting Minutes

May 8, 2023

A. Open Public Meetings Act Compliance

Chair John W. Bartlett, Passaic County, called the meeting to order at 10:30 a.m. Beverly Morris, Central Staff, reported that, in accordance with the Open Public Meetings Act, Chapter 231, P.L.1975, adequate notice of this meeting was forwarded to the *Star Ledger*, the *Asbury Park Press*, the *Courier News*, the *Daily Record*, the *Home News Tribune*, the *Jersey Journal*, *New Jersey Herald*, and *The Record*. It was posted at the Essex County Hall of Records in Newark.

B. Roll Call

Ms. Morris called the roll. Nineteen voting members were present. (Attachment 1).

C. Approval of Minutes

A motion to approve the minutes of the March 13, 2023 meeting was made by Ocean County, seconded by Union County, and carried unanimously.

D. Chairman's Remarks

Chairman Bartlett said one item on the agenda is a minor amendment to add funding to the Route 7 drainage improvements project in Kearny as requested by NJDOT. He noted that the minor amendment was just approved for the Board agenda at a special meeting of the Project Prioritization Committee the previous Friday. The Chair said special meetings are not called often, but in this case it was necessary to meet unforeseen project changes and cost increases and to keep the project on track. He thanked the members of the Project Prioritization Committee for their cooperation in getting this done on short notice and noted that, as with much of the business that comes before the Board, these actions follow many months of project development and close coordination with the NJTPA's partners and subregions.

The Chair said one significant activity now underway is preparation of an updated Transportation Improvement Program (TIP) for Fiscal Years (FYs) 2024-2027. He explained that this is the mechanism for drawing down federal funding to the region. The subregions are

reviewing the state's draft FY 2024 Transportation Capital Program, which is the basis for the TIP, and NJTPA Central Staff is working with them, NJDOT, and NJ TRANSIT to address concerns and issues. He noted that the TIP must undergo air quality conformity analysis this summer.

Chair Bartlett said the TIP is anticipated to come before the Board as an action item in September, and he noted that it is one of the Board's most significant actions, totaling more than \$14 billion in funding over four years. He said, like most Board actions since late 2021, the new TIP is shaped by the Infrastructure Investment and Jobs Act (IIJA), thanks to the increased funding it makes available, as well as its guidance and provisions on new and existing programs. He said the NJTPA is working to take full advantage of the IIJA during its remaining three years.

The Chair noted that the cities of Orange and East Orange in Essex County received a grant of assistance through the Thriving Communities Program to explore ways to implement improvements that will better connect their north and south sections across the divide of Route 280. These improvements were identified in a 2017 NJTPA-funded subregional study conducted by Essex County, and they will enhance safety for walkers and bikers, livability, and economic development, among other benefits.

Chair Bartlett said the subregions and communities are also looking into upcoming IIJA opportunities, including the Charging and Fueling Infrastructure Discretionary Grant Program, the Safe Streets and Roads for All grant program, and the PROTECT program for resiliency efforts. He said that information is always available on the NJTPA's [IIJA webpage](#), and Central Staff can provide assistance and letters of support for applications. He noted that NJTPA has also provided letters of support to communities seeking funding for projects from members of Congress through the annual appropriations process, also known as member-designated funding, or earmarks.

Chair Bartlett thanked all those who participated at April's TransAction conference. He moderated two NJTPA Staff-led sessions, one on the NJTPA Active Transportation Plan and one on municipal assistance programs. NJTPA Third Vice Chair Jason Sarnoski, who also chairs the Freight Initiatives Committee, moderated a staff-led session on the NJTPA's Freight Concept Development Program. Staff participated in a variety of other sessions and helped organize the well-attended conference. The Chair announced that the July 10 Board meeting will be held in-person in his home county of Passaic, and the location and details will be announced shortly.

Andy Swords, NJDOT, expressed appreciation to the Project Prioritization Committee and to the Board for the quick action they took on the Route 7 drainage improvements project.

E. Executive Director's Report

NJTPA Executive Director David Behrend highlighted some studies and other work led by Central Staff and the subregions, whose efforts are reaching their final stages as they refine recommendations, address comments from stakeholders and the public, compile final reports, and more. He highlighted a few:

- Drafting the Regional Active Transportation Plan, which will guide development of the region’s pedestrian and bicycle network.
- Concluding work to validate the NJTPA transportation model and finalizing an update of the Freight Rail Grade Crossing Assessment.
- Nearing completion of two NJTPA-sponsored local concept development studies to identify preferred alternatives for freight improvements in Morris County and Somerset County. Four local concept development studies for road and bridge needs are continuing into next year.
- Finalizing five subregional studies that deal with a range of local needs—such as electric charging infrastructure, freight movement, and development of master plans—in Essex, Hudson, Middlesex, Somerset, and Union counties.
- Completing the current round of Complete Streets Technical Assistance provided to seven municipalities. This assistance has helped with plan development, walkable community workshops, demonstration projects, and more.

Mr. Behrend said a similar comprehensive set of planning and project development activities will begin on July 1, guided by the FY 2024 work program approved by the Board in March.

Mr. Behrend said the NJTPA will continue to emphasize Complete Streets at the regional and subregional levels, including the demonstration projects, which involve temporary installations of bicycle lanes, corner “bump outs,” pedestrian plazas, parklets, and other measures to test their effectiveness and community acceptance. He said it is a popular approach that can lead to permanent improvements such as the pedestrian plazas in Jersey City. He said Belleville recently installed colorful corner extensions near a school, and a similar demonstration project was just put in place in the City of Passaic. Recognizing the growing enthusiasm for this work, the NJTPA has created a library of materials that towns and counties can borrow for such demonstrations. They include flexible posts, paint, stencils, plastic barriers, benches, etc. The NJTPA website has details and an application. Requests should be coordinated with the appropriate Transportation Management Association.

Regarding the Safe Streets and Roads for All program, Mr. Behrend said the NJTPA is offering the subregions assistance in the development of Local Safety Action Plans, which are required to qualify for implementation grants under the program. In cooperation with Federal Highway Administration’s (FHWA’s) New Jersey division office and the FHWA Resource Center, a series of webinars on the action plans will take place over the summer, followed by an in-depth workshop this fall. Details will be announced shortly. He said this will all lead to a consultant effort in the upcoming work program that will help any interested subregion develop their own Local Safety Action Plan.

Mr. Behrend said NJTPA staff continue to support efforts by subregions and municipalities in applying for the various IJJA grant programs, and he encouraged all to reach out to them for assistance and letters of support.

Mr. Behrend said the NJTPA is participating in a grant-funded effort under the first phase of the Environmental Protection Agency's Climate Pollution Reduction Grant Program. He said the work covers the New York-Newark-Jersey City Metropolitan Statistical Area and will be led by the City of New York, working cooperatively with the New York Metropolitan Transportation Council and the NJTPA. Activities include development of local greenhouse gas reduction strategies that can be implemented throughout the region. The plan will enable counties and municipalities in the area, which covers most of the NJTPA region, to apply for implementation grants in Phase II of this EPA program.

Mr. Behrend said another effort reaching beyond the NJTPA's borders is ongoing participation in the Metropolitan Area Planning (MAP) Forum. In late March, the group's Multi-State Freight Working Group sponsored a workshop on Off-Shore Wind Development. It included discussion of the substantial economic activity and many jobs the development is bringing to the region. A video of the workshop is available on the NJTPA website.

Mr. Behrend thanked Board members and staff who led and presented at numerous sessions at April's TransAction conference. He also thanked NJTPA staff who helped organize the event and staffed the NJTPA booth in the exhibit hall. He said the conference was a great opportunity to showcase our work, gather ideas, and learn from others. The NJTPA also hosted a booth at the New Jersey Association of Counties' annual conference. He said he moderated a discussion of NJTPA public engagement innovations, including the pilot Outreach Liaisons Program, the UpNext young adults' advisory group, and the demonstration projects.

Mr. Behrend made a few announcements: the 2023 edition of the NJTPA Acronym Guide was recently published; the spring virtual meeting of the Morris Canal Working Group is set for May 18; and the NJTPA will host an in-person Autonomous Vehicle Symposium on June 6.

F. Presentation

Bill Keyrouze, Executive Director, Association of Metropolitan Planning Organizations (AMPO), was the featured speaker. He outlined the mission of the organization and provided an overview of the increased resources available through the IJA, also known as the Bipartisan Infrastructure Law (BIL), including new technical assistance programs and new programs for which MPOs are eligible.

Among the key points he made were that discretionary funding under the \$100 billion IJA law totals \$28 billion, up from \$5.5 billion in the previous federal transportation funding law; New Jersey has thus far received \$5.5 billion in both discretionary and formula funding under the law, underwriting 92 projects; many local governments face challenges in developing applications due to staffing shortages and lack of matching funding; and federal assistance programs are available to help with the application process. In answer to a question from Commissioner Stephen Shaw, Morris County, Mr. Keyrouze said the life of the bill runs through Federal Fiscal Year 2026, and the funds are allocated to state departments of transportation on an annual basis. In answer to a question from Mr. Swords, Mr. Keyrouze said AMPO has been coordinating with

USDOT and HUD to identify best practices to better coordinate transportation, land use and affordable housing policies.

G. Committee Reports/Action Items

Project Prioritization – Commissioner John P. Kelly, Chair

Commissioner Kelly thanked Commissioner Charlie Kenny, Middlesex County, for leading the April 17 meeting in his absence. He said the Committee considered five action items at that meeting, four of which are on the agenda. The first is a minor amendment to the FY 2022-2025 TIP to add federal funding for the Portal North Bridge project as requested by NJ TRANSIT. He said the Federal Transit Administration added \$25 million from the discretionary Capital Investment Grants program for the project’s Engineering, Right-of-Way, and Construction phases of work in Federal Fiscal Year 2023.

The Commissioner said the next action item is a minor amendment to the current TIP to add federal funds for two projects in Morris County, as requested by the New Jersey Department of Transportation. For the Route 80/15 Interchange Project, the request is to shift National Highway Performance Program funding for Right-of-Way from Fiscal Year 2023 to Fiscal Year 2025, and to increase this funding by \$2.8 million to \$4 million in Fiscal Year 2025. This action also advances Construction funding for the project, from Fiscal Years 2029 through 2031, to 2027 through 2029. It also increases multiyear funding for Construction by \$39.5 million to \$144.5 million. For the Route 80, Bridges over Howard Boulevard Project, the request is to change the source of Construction funding from National Highway Performance Program funds to Bridge Formula Program funds, and to add \$19 million of this funding to Construction in 2023, for a revised total of \$63 million.

Commissioner Kelly said the third action item is a minor amendment to the FY 2022–2025 TIP to transfer NJTPA Carbon Reduction Program funds to NJ TRANSIT’s Transit Enhancements Program, as requested by the NJTPA and NJ TRANSIT, to advance portions of the Essex Hudson Greenway project.

The Commissioner said the Committee also approved 32 projects for the 2023 Transportation Alternatives Set-Aside Program, which funds community-based “non-traditional” projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation’s intermodal system. He said a Technical Review Committee comprised of NJTPA Central Staff, NJDOT’s Division of Local Aid, Division of Traffic Engineering and Safety, and Bureau of Environmental Program Resources reviewed 68 applications and the 32 top-scoring projects in the region were funded with a total of \$35.8 million. The State is expected to make an official announcement of all selected projects in New Jersey later in May.

Commissioner Kelly said the final item considered by the Committee at the April 17 meeting was the 2022 financial plan update for the Route 80, Route 15 Interchange Project in Morris County. Projects costing from \$100 million to \$500 million in federal funding require financial plans. Since the last update of this project’s financial plan, the cost has increased by about \$48 million due to inflation and the price of steel. To date, the project has spent \$9 million, about five

percent of the total cost. Construction is expected to begin in 2028, and completion is expected by the end of 2032. The Committee approved this financial plan update, and no further action is needed.

Regarding the special meeting held on May 5, the committee approved a minor amendment to the TIP to add federal funds to the Route 7, Kearny drainage improvements project, as requested by NJDOT. The additional \$16 million will address project changes and increased costs and bring the total cost to \$131 million, allowing this work to move forward.

Action Item 1: Minor Amendment to the FY 2022-2025 Transportation Improvement Program to Add Federal Funding for the Portal North Bridge Project as Requested by NJ TRANSIT (Attachment 2)

A motion to approve the resolution was made by NJ TRANSIT , seconded by Ocean County, and carried unanimously.

Action Item 2: Minor Amendments to the FY 2022-2025 Transportation Improvement Program to Add Federal Funds for Two Projects in Morris County as Requested by the New Jersey Department of Transportation (Attachment 3)

- **Route 80/15 Interchange Project**
- **Route 80, Bridges over Howard Boulevard Project**

A motion to approve the resolution was made by Morris County, seconded by Sussex County, and carried unanimously.

Action Item 3: Minor Amendment to the FY 2022-2025 Transportation Improvement Program to Transfer NJTPA Carbon Reduction Program Funds to NJ TRANSIT’s Transit Enhancements Program as Requested by the North Jersey Transportation Planning Authority and NJ TRANSIT (Attachment 4)

Jeremy Colangelo-Bryan, NJ TRANSIT, requested a minor refinement to the text of the resolution and summary to change “Greenway project” to “Greenway and Transitway project.” Mr. Behrend indicated that this revised project name reflects the project description and intent as discussed with NJ TRANSIT and described in NJ TRANSIT documents submitted to the NJTPA.

A motion to approve the resolution was made by NJ TRANSIT, seconded by Jersey City, and carried unanimously.

Action Item 4: Approval of Projects for the 2023 Transportation Alternatives Set-Aside Program (Attachment 5)

A motion to approve the resolution was made by NJDOT, seconded by Union County, and carried unanimously.

Action Item 5: Minor Amendment to the FY 2022-2025 TIP to Add Federal Funds to the Route 7, Kearny Drainage Improvements Project, as requested by NJDOT (Attachment 6)

A motion to approve the resolution was made by NJDOT, seconded by Sussex County, and carried unanimously.

Planning and Economic Development – Commissioner Charles Kenny, Chair

Commissioner Kenny said the Committee considered one action item at the April 17 joint meeting. It concerns Support for Pavement, Bridge, Travel Time Reliability, and Freight Performance Measure Targets Set by the New Jersey Department of Transportation. He said, as part of the federal transportation performance management process, Central Staff has begun to set two- and four-year targets for national performance measures for the period January 1, 2022 through December 31, 2025. NJDOT and New Jersey's three Metropolitan Planning Organizations worked together to identify and agree upon statewide targets for the following measures:

- Six measures of condition for the National Highway System (NHS), four regarding pavement condition on Interstate and non-Interstate NHS roadways and two regarding the condition of NHS bridge decks
- Two performance measures involving the reliability of travel times on the Interstate and non-Interstate NHS
- A freight performance measure, which involves truck travel time reliability on the Interstate system.

The Commissioner noted that, while federal regulations allow MPOs to develop their own targets, it is appropriate for the NJTPA to support the New Jersey statewide targets since they were collaboratively developed by NJDOT, NJTPA, the other two MPOs in the state and other stakeholders. In agreeing to the targets, the NJTPA commits to planning and programming projects that will help meet them.

Chair Kenny said, also at the April meeting, the Committee received an update on current funding opportunities under IIJA. Applications are open for safety, charging infrastructure, and resiliency programs. There is also a funding opportunity for the Wildlife Crossings Program aimed at reducing roadway collisions involving animals and preserving natural habitats. Detailed information on applying for these grants is available at [Grants.gov](https://www.grants.gov), and relevant links can be found on the NJTPA's [IIJA web page](#).

Action Item 6: Support for Pavement, Bridge, Travel Time Reliability, and Freight Performance Measure Targets Set by New Jersey Department of Transportation (Attachment 7)

A motion to approve the resolution was made by Morris County, seconded by Middlesex County, and carried unanimously.

Freight Initiatives – Chair, Commissioner Jason Sarnoski, Warren County

On behalf of Commissioner Sarnoski, who could not attend the Board meeting, Commissioner Sara Sooy, Somerset County, Vice Chair of the Committee, said the April 17 meeting of the Freight Initiatives Committee featured the Annual Port Industry Update, and the Committee heard presentations by two officials with key roles in maintaining and improving port operations. The first speaker was Beth Rooney, Port Director, Port Authority of New York & New Jersey (PANYNJ). She said the Port has seen significant cargo growth, despite numerous international supply chain challenges. For five of the last seven months the Port has been number one in the country, handling a container volume of more than 9.5 million TEU's (twenty-foot equivalent units). The Port is also seeing a recovery in the cruise ship business. Ms. Rooney noted that the Port is capturing a substantial portion of port volume from the West Coast that is being diverted due to labor concerns there and other factors affecting the inland movement of cargo from the west.

The Commissioner said Ms. Rooney then focused on two upcoming PANYNJ projects to address access issues for the Newark/Elizabeth port complex. One is the Port Street Corridor Improvement Project which involves widening access lanes in the area, among other upgrades. On the rail side, the Southbound Connector project will allow for greater efficiencies in train movements from the on-dock rail yard serving major container terminals.

Commissioner Sarnoski said the next speaker was John Nardi, President, Shipping Association of New York and New Jersey, who highlighted the organization's mission, which is to represent the interests of ocean carriers, terminal operators, and ancillary services in improving port operations. The association negotiates labor agreements and was instrumental in achieving New Jersey's withdrawal from the Waterfront Commission (a decision handed down by the U.S. Supreme Court the day after the FIC meeting). This will expedite New Jersey's ability to vet and recruit much-needed labor at the Port. Mr. Nardi noted that the Shipping Association and the PANYNJ lead the Council on Port Performance, which participates in all aspects of the supply chain. The NJTPA is also a member of the Council. Priorities of the organization for 2023 include issues related to environmental policy, land use improvements, chassis availability measures, infrastructure development and marketing strategies.

The Commissioner said the committee also received an update on the NJTPA's various freight planning activities and brief reports from committee members. The PANYNJ reported that air cargo volume at regional airports has decreased compared to last year, while truck traffic on vehicular crossings has increased. Also, the City of Newark announced that the city received a grant for Foundry Street improvements from the state's Local Freight Impact Fund. Middlesex County announced that recommendations of its Freight Movement Study will be presented at a public meeting. Somerset County thanked all those involved in the Freight Concept Development Study for eliminating the rail grade crossing on Main Street in Bound Brook.

H) Public Participation

There were no comments from the public.

I) Time and Place of Next Meeting

Chairman Bartlett announced that the next meeting of the NJTPA will be held on Monday, July 10, 2023, 10:30 a.m., in Passaic County, and details will follow shortly.

J) Adjournment

At 11:20 a.m., a motion to adjourn was made by Ocean County seconded by PANYNJ, and carried unanimously.

NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.
Meeting of the Board of Trustees
Attendance Record: May 8, 2023

Subregion/Agency	Voting Members/Alternates	Staff & Others
Bergen County	Peter Botsolas	Joseph Baladi
Essex County	David Antonio	
Hudson County	Tom Malavasi	
Hunterdon County	Hon. Susan Soloway	Katherine Fullerton
Jersey City	Michael Manzella	
Middlesex County	Hon. Charles Kenny	Linda Weber
Monmouth County		Joseph Ettore
Morris County	Hon. Stephen Shaw John Hayes	
Newark	Dolores Martinez Wooden	
Ocean County	Hon. John Kelly	John Ernst
Passaic County	Hon. John Bartlett	Andras Holzmann
Somerset County	Hon. Sara Sooy	
Sussex County	Tom Drabic	
Union County	Hon. Bette Jane Kowalski	
Warren County	David Dech	
Office of the Governor	Dorian Smith	
NJDOT	Andy Swords	
NJ TRANSIT	Jeremy Colangelo-Bryan	
Port Authority of New York & New Jersey	Jay Shuffield	
Citizen's Representative	Jared Rodriguez	

Other Attendees	
Dan Callas	Avenues in Motion
Bob Werkmeister	GPI
Jim Yeager	Michael Baker International
Various members of Central Staff	NJTPA

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2022 – 2025
TRANSPORTATION IMPROVEMENT PROGRAM TO
ADD FEDERAL FUNDING FOR THE PORTAL NORTH
BRIDGE PROJECT AS REQUESTED BY NJ TRANSIT**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2022 – 2025 Transportation Improvement Program (TIP) on September 13, 2021; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU, when federal funds are added to a project above the specified threshold, and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, NJ TRANSIT is requesting the addition of federal funding for the Portal North Bridge (DB NUM T538) project, to be programmed with discretionary funds from Federal Transit Administration's Capital Investment Grants program (U.S.C. Section 5309); and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to this action; and

WHEREAS, the FY 2022 TIP conforms to the MAP-21/FAST Act and Infrastructure Investment and Jobs Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to

Approved May 8, 2023

expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2022 – 2025 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to NJ TRANSIT for submission to the Federal Transit Administration.

**DRAFT RESOLUTION: MINOR AMENDMENTS TO THE FY 2022 – 2025
TRANSPORTATION IMPROVEMENT PROGRAM TO
ADD FEDERAL FUNDS FOR TWO PROJECTS IN
MORRIS COUNTY AS REQUESTED BY THE NEW
JERSEY DEPARTMENT OF TRANSPORTATION**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2022 – 2025 Transportation Improvement Program (TIP) on September 13, 2021; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when a project or program with federal funds is added to the TIP or when federal funds above a specified threshold are added to a project, and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, the New Jersey Department of Transportation has requested the addition of federal funds for the Route 80/15 Interchange project (DBNUM 93139) in Morris County, and Route 80, Bridges over Howard Boulevard (CR 615) project (DBNUM 15351) in Morris County; and

WHEREAS, the Infrastructure Investment and Jobs Act provides the resources for these projects; and

WHEREAS, these minor amendments are exempt from an air quality conformity determination and do not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements does not apply to these actions; and

WHEREAS, the FY 2022 TIP conforms to the MAP-21/FAST Act and Infrastructure Investment and Jobs Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

Approved May 8, 2023

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendments to the FY 2022 – 2025 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2022 – 2025
TRANSPORTATION IMPROVEMENT PROGRAM TO
TRANSFER NJTPA CARBON REDUCTION PROGRAM
FUNDS TO NJ TRANSIT’S TRANSIT ENHANCEMENTS
PROGRAM AS REQUESTED BY THE NORTH JERSEY
TRANSPORTATION PLANNING AUTHORITY AND NJ
TRANSIT**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2022 – 2025 Transportation Improvement Program (TIP) on September 13, 2021; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU, when federal funds are added to a program line item that is not currently programmed with federal funds or when federal funds are added above the specified threshold, and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, New Jersey’s New York-Newark urbanized area was allocated \$27.307 million in Carbon Reduction Program funds authorized in Federal Fiscal Years (FFY) 2022 and 2023 pursuant to the federal Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law), and these funds are currently programmed in the TIP’s program line item NJTPA Carbon Reduction Program (DBNUM N2309), in FFY 2023; and

WHEREAS, the NJTPA and NJ TRANSIT are jointly proposing to transfer federal funds from the NJTPA Carbon Reduction Program (DBNUM N2309) line item to NJ TRANSIT’s Transit Enhancements/Transportation Alternatives Program/Alternative Transit Improvements (DBNUM T210) program line item; and

WHEREAS, NJ TRANSIT is proposing using these funds for planning, engineering, right of way, and construction of the Greenway and Transitway project in partnership with New Jersey Department of Environmental Protection; and

Approved May 8, 2023

WHEREAS, the Greenway and Transitway project will convert an approximately nine-mile former rail right of way into a recreation and alternative transportation corridor; and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to these actions; and

WHEREAS, the FY 2022 TIP conforms to the MAP-21/FAST Act and Infrastructure Investment and Jobs Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2022 – 2025 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation and NJ TRANSIT for submission to the Federal Highway Administration and Federal Transit Administration.

**DRAFT RESOLUTION: APPROVAL OF PROJECTS FOR THE 2023
TRANSPORTATION ALTERNATIVES SET-ASIDE
PROGRAM**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the Transportation Alternatives (TA) Set-Aside program is supported with a set-aside of funds under the Surface Transportation Block Grant Program (STBGP) under federal surface transportation legislation; and

WHEREAS, the TA Set-Aside program provides an opportunity for eligible applicants to apply for federal funding for the construction of community based “non-traditional” projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation’s intermodal system; and

WHEREAS, the New Jersey Department of Transportation (NJDOT) sent out solicitation notifications in May 2022 inviting eligible applicants to submit for the program; and

WHEREAS, NJDOT received 68 eligible TA Set-aside applications in the NJTPA region; and

WHEREAS, a Technical Review Committee (TRC) comprised of NJTPA Central Staff, the NJDOT Division of Local Aid, Division of Traffic Engineering and Safety and the Bureau of Environmental Program Resources reviewed the applications; and

WHEREAS, within the NJTPA region, a total of \$35.8 million has been designated to fund the top-scoring TA Set-Aside candidate projects; and

WHEREAS, the recommended projects address the goals of the programs as defined; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the attached list of projects for the Transportation Alternatives Set-Aside Program.

Approved May 8, 2023

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration and to the counties of the selected applicants.

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2022 – 2025
TRANSPORTATION IMPROVEMENT PROGRAM TO
ADD FEDERAL FUNDS TO THE ROUTE 7, KEARNY
DRAINAGE IMPROVEMENTS PROJECT AS REQUESTED
BY THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2022 – 2025 Transportation Improvement Program (TIP) on September 13, 2021; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when a project or program with federal funds is added to the TIP or when federal funds above a specified threshold are added to a project, and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, the New Jersey Department of Transportation has requested the addition of federal funds to the *Route 7, Kearny Drainage Improvements project (DB# 93186)* in Bergen and Hudson counties, and

WHEREAS, the Infrastructure Investment and Jobs Act provides the resources for this project; and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to this action; and

WHEREAS, the FY 2022 TIP conforms to the MAP-21/FAST Act and Infrastructure Investment and Jobs Act performance-based planning requirements; and

Approved May 8, 2023

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendments to the FY 2022 – 2025 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

DRAFT RESOLUTION: SUPPORT FOR PAVEMENT, BRIDGE, TRAVEL TIME RELIABILITY, AND FREIGHT PERFORMANCE MEASURE TARGETS SET BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT)

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, Title 23, Section 134 of the United States Code requires that each MPO undertake a transportation planning process that shall provide for the establishment and use of a performance-based approach to transportation decision-making to support national goals; and that each MPO shall establish performance targets that address the performance measures to use in tracking progress toward attainment of critical outcomes for the region and integrate those targets into their planning documents and processes; and

WHEREAS, the Federal Highway Administration (FHWA) rules on performance management requires that MPOs and State departments of transportation coordinate on setting performance targets for National Highway System (NHS) infrastructure condition, NHS system performance, and freight performance measures; and

WHEREAS, the FHWA has established six national performance measures for NHS infrastructure condition: 1) percent of the Interstate pavement lane-miles in good condition, 2) percent of the Interstate pavement lane-miles in poor condition, 3) percent of the non-Interstate NHS pavement lane-miles in good condition, and 4) percent of the non-Interstate NHS pavement lane-miles in poor condition, 5) percent of the NHS bridges (by deck area) in good condition, and 6) percent of the NHS bridges (by deck area) in poor condition; and

WHEREAS, the FHWA has established two national performance measures for NHS system performance: 1) percent of person-miles traveled with reliable travel times on the Interstate system, and 2) percent of person-miles traveled with reliable travel times on the non-Interstate NHS; and

WHEREAS, the FHWA has established one national performance measure for freight: the truck travel time reliability index on the Interstate system; and

WHEREAS, based on the FHWA final rule on metropolitan planning, MPOs must establish targets for the infrastructure condition, system performance, and freight measures within 180 days of state departments of transportations (DOTs) setting statewide targets; and

WHEREAS, the NJTPA coordinated with NJDOT and the other MPOs in New Jersey on analyzing trends and developing appropriate statewide targets for these measures; and

Approved May 8, 2023

WHEREAS, NJDOT reported final targets to FHWA in the web-based Performance Management Form due on December 16, 2022, which was transmitted to NJTPA on January 31, 2023; and

WHEREAS, the final rule on metropolitan planning states that MPOs have two options: 1) agree to program investments in support of NJDOT's targets, or 2) set their own quantifiable targets; and

WHEREAS, the statewide targets appropriately reflect and will serve as suitable benchmarks for the planning goals and desired outcomes for the projects and programs of the NJTPA Long Range Transportation Plan and Transportation Improvement Program; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the NJTPA hereby supports the NJDOT statewide targets for the NHS infrastructure condition, NHS system performance, and freight performance measures; and

BE IT FURTHER RESOLVED, that the NJTPA will program investments that support the achievement of these performance targets; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

DRAFT RESOLUTION: APPROVAL OF THE INITIAL FINANCIAL PLAN FOR THE PORTWAY, FISH HOUSE ROAD/PENNSYLVANIA AVENUE, CR 659 PROJECT

WHEREAS, the North Jersey Transportation Planning Authority (NJTPA) is the Metropolitan Planning Organization (MPO) responsible for updating the Transportation Improvement Program (TIP) for the northern part of New Jersey as required by 23 CFR 450 and CFR 613 B; and

WHEREAS, under federal law, recipients of federal financial assistance for projects with a total cost between \$100 million and \$500 million are required to prepare a financial plan; and

WHEREAS, a Financial Plan addresses the following elements:

- **Project Description:** A detailed description that presents the scope of the project. A graphic depicting the project location is recommended.
- **Cost Estimate:** The total cost and cost-to-complete for major project elements are presented in year of expenditure dollars.
- **Implementation Plan:** The project schedule is presented and the cost-to-complete is presented in annual increments in year of expenditure dollars.
- **Financing and Revenues:** Presented by funding source as annual elements available for project obligations.
- **Cash Flow:** An annualized presentation of cash income and outgo to illustrate how periodic bills will be paid.
- **Risk Identification and Mitigation Factors:** Identification of the likelihood of issues affecting project completion and sufficiency of revenues – such as cost escalation, construction schedules, and dependencies on future legislation – and strategies and actions to address these risks.
- **Phasing Plan:** Identification of fundable improvements that will address the short-term purpose and need of the project in the event there are insufficient financial resources to complete the entire project.
- **Public Private Partnership (P3):** Assessment of appropriateness of a public-private partnership to deliver the project.
- **Annual Update Cycle:** The submission dates and reporting periods should be proposed in the Initial Financial Plan and annual updated plans; and

WHEREAS, in addition to the financial plan, annual updates are required in order to provide information on actual cost, expenditure and revenue performance; and

WHEREAS, the Portway, Fish House Road/Pennsylvania Avenue, CR 659 project (DB# 97005B) involves widening of Fish House Road/Pennsylvania Avenue; raising the roadway profile; realigning and reprofiling of freight railroad track, including new at-grade crossings of Pennsylvania Avenue and of the CSX intermodal driveway; and safety improvements at the Pennsylvania Avenue crossing; and

WHEREAS, the New Jersey Department of Transportation (NJDOT) has submitted an Initial Financial Plan for the Portway, Fish House Road/Pennsylvania Avenue, CR 659 project, with total costs of approximately \$102.651 million; and

WHEREAS, NJTPA Central Staff has reviewed the Initial Financial Plan and has found the project to be consistent with federal guidance and with the fiscal constraint requirements of the Long Range Transportation Plan and the FY 2022 – FY 2025 TIP as revised; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the Initial Financial Plan for the Portway, Fish House Road/Pennsylvania Avenue, CR 659 Project.

BE IT FURTHER RESOLVED, that a copy of this resolution and attachments be forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Summary of Action

Approval of the Initial Financial Plan for the Portway, Fish House Road/Pennsylvania Avenue, CR 659 Project

Action: The New Jersey Department of Transportation (NJDOT) is requesting approval of the proposed Initial Financial Plan for the Portway, Fish House Road/Pennsylvania Avenue, CR 659 project (DBNUM 97005B) in Hudson County. The initial financial plan reflects a total project cost of \$102.651 million. Approval of initial financial plans requires approval of the NJTPA Project Prioritization Committee and the NJTPA Board of Trustees.

Background:

Financial Plans

Under federal law, recipients of federal financial assistance for projects with a total cost from \$100 million to \$500 million are required to prepare a financial plan that includes the following elements:

- **Project Description:** A detailed description that presents the scope of the project. A graphic depicting the project location is recommended.
- **Cost Estimate:** The total cost and cost-to-complete for major project elements are presented in year of expenditure dollars.
- **Implementation Plan:** The project schedule is presented and the cost-to-complete is presented in annual increments in year of expenditure dollars.
- **Financing and Revenues:** Presented by funding source as annual elements available for project obligations.
- **Cash Flow:** An annualized presentation of cash income and outgo to illustrate how periodic bills will be paid.
- **Risk Identification and Mitigation Factors:** Identification of the likelihood of issues affecting project completion and sufficiency of revenues – such as cost escalation, construction schedules, and dependencies on future legislation – and strategies and actions to address these risks.
- **Phasing Plan:** Identification of fundable improvements that will address the short-term purpose and need of the project in the event there are insufficient financial resources to complete the entire project.
- **Public Private Partnership (P3):** Assessment of appropriateness of a public-private partnership to deliver the project.
- **Annual Update Cycle:** The submission dates and reporting periods should be proposed in the Initial Financial Plan and annual updated plans.

The Portway, Fish House Road/Pennsylvania Avenue, CR 659 Project Initial Financial Plan must be updated annually. The annual updates should identify and resolve any cost and funding

changes that have occurred since the previous submission. This would include changes in project scope that impact the project's cost estimate and completion schedule.

Project Description

The purpose of this project is to mitigate heavy truck traffic congestion, improve the existing aging roadway to accommodate the growing demands, and address safety and flooding issues.

The project includes widening of Fish House Road/Pennsylvania Avenue beginning south of the signalized Central Avenue/Pennsylvania Avenue intersection and continuing northeast along Pennsylvania Avenue/Fish House Road to match the cross section of Fish House Road widened under the Route 7 Wittpenn Bridge project. The roadway profile within the project limits will be raised above the 10-year tidal surge elevation to alleviate roadway flooding within the project footprint and match the standard used in the adjacent Route 7 Wittpenn Bridge project. The project also includes the realignment and reprofiling of freight railroad track, including new at-grade crossings of Pennsylvania Avenue and of the CSX intermodal driveway. Safety improvements at the Pennsylvania Avenue crossing will include cantilevered flashing warning lights and drop gates to stop traffic in each direction of travel.

The estimated cost of this project is \$102.651 million. As of April 30, 2023, the project has expended \$5.745 million or 5.6 percent of the current project estimate. Construction is anticipated to begin in September 2023 and be completed in July 2028.

Justification for Action: The Initial Financial Plan has been reviewed for consistency based on the elements listed above. The project is identified in the Long-Range Transportation Plan and the FY 2022 – FY 2025 Transportation Improvement Program (TIP). The NJTPA Board, at its July meeting, will also be requested to approve a TIP Minor Amendment to add \$32.069 million of federal funds to the Construction phase of work, to cover the remaining anticipated project costs reflected in the initial financial plan.

By approving the Initial Financial Plan, the project will be in compliance with federal guidelines, allowing NJDOT to request authorization for the construction phase of work for this project.

Staff Recommendation: Central Staff recommends approval of this action.

PORTWAY, FISH HOUSE ROAD/
PENNSYLVANIA AVENUE CR 659
INITIAL FINANCIAL PLAN

Town of Kearny, Hudson County, New Jersey



Submitted by:

*New Jersey Department of
Transportation*

May 2023

Portway, Fish House Road/Pennsylvania Avenue CR 659

Initial Financial Plan

LETTER OF CERTIFICATION

The New Jersey Department of Transportation (NJDOT) has developed a comprehensive Financial Plan for the Portway, Fish House Road/Pennsylvania Avenue CR 659 project in Hudson County, NJ in accordance with the requirements of Title 23, United States Code, Section 106 and the Financial Plan Guidance issued by the Federal Highway Administration. The plan provides detailed cost estimates to complete the project and estimates of the financial resources necessary to fund the project.

The cost data in the Financial Plan provides an accurate accounting of costs incurred to date and includes an estimate of future costs based on engineer's estimates and anticipated construction cost escalation factors. While the estimates of financial resources rely upon assumptions regarding future economic conditions and demographic variables, these represent realistic estimates of financial resources available to fund the project as described.

NJDOT believes the Financial Plan provides an accurate basis upon which to schedule and fund the Portway, Fish House Road/Pennsylvania Avenue CR 659 Project and commits to provide Annual Updates according to the schedule outlined in this Initial Financial Plan.

To the best of our knowledge and belief, the Financial Plan, as submitted herewith, fairly, and accurately presents the financial position of the Portway, Fish House Road/Pennsylvania Avenue CR 659 Project, cash flows and expected conditions for the project's life cycle. The financial forecasts in the Financial Plan are based on our assessment of the expected project conditions and our expected course of action. We believe that the underlying assumptions of the Financial Plan are reasonable and appropriate. Further, we have made available all significant information we believe is relevant to the Financial Plan and to the best of our knowledge and belief, the documents and records supporting the assumptions are appropriate.

Respectfully submitted:

Parth Oza, P.E.

Assistant Commissioner
Capital Program Management

Date

Charles Maciejunes

Acting Assistant Commissioner
Finance and Administration

Date

Table of Contents

Summary 1

1.0 Background..... 2

1.1 Project Description 2

1.2 Project History..... 4

1.3 Current Project Activities..... 8

2.0 Cost Estimate 11

2.1 Project Cost Estimate 11

2.2 Methodology 12

2.3 Cost Containment Strategies..... 13

3.0 Implementation Plan 14

3.1 Project Implementation Schedule 14

4.0 Project Financing..... 17

4.1 Overall Financial Plan..... 17

4.2 Forecasting Project Cost Compared to Allocations by Fiscal Year 17

5.0 Public Private Partnership Delivery 20

6.0 Risk Identification and Mitigation Factors..... 21

6.1 Risk Factors 21

6.2 Cost Increase Risks 24

6.3 Revenue Sufficiency Risks 25

7.0 Annual Updates 26

APPENDIX A: CONSTRUCTION COST ESTIMATE

APPENDIX B: CONSTRUCTION SCHEDULE

APPENDIX C: STIP

APPENDIX D: CASH FLOW TABLES AND FMIS REPORTS

Summary

Portway Fish House Road/Pennsylvania Avenue (County Route 659) intersects Central Avenue at a signalized “T” intersection. The intersection provides all traffic movements to and from Central Avenue/Pennsylvania Avenue. Central Avenue is a two-lane roadway in both the northbound and southbound directions with the right northbound lane accessing Pennsylvania Avenue eastbound via a right turn ramp. The need for the project is demonstrated by congestion and safety problems caused by an existing roadway that is ill suited to accommodate the extraordinarily high truck traffic volumes (approximately 53%). Moreover, Fish House Road drops below the mean high-water mark of the Hackensack River and during heavy rains and at certain high tides the roadway floods and becomes impassable.

Title 23, Section 106(i) of the United States Code requires that a recipient of Federal financial assistance for a project with an estimated total cost of \$100 Million or more shall prepare an annual Financial Plan for the project to the United States Secretary of Transportation. A Financial Plan is a comprehensive document that reflects the project’s scope, schedule, cost estimate, and funding structure to provide reasonable assurance that there will be sufficient funding available to implement and complete the entire project.

The current estimated cost of the Portway, Fish House Road/Pennsylvania Avenue CR 659 project is \$102.651 Million. This cost estimate includes prior design costs, construction items, utility costs, CM/CI and construction engineering support costs.

The Financial Plan includes the following topics as outlined in the Table of Contents:

1. Background
2. Cost Estimate
3. Implementation Plan
4. Project Financing
5. Public Private Partnership Delivery
6. Risk Identification and Mitigation Factors
7. Annual Updates

1.0 Background

1.1 Project Description

The purpose of the Portway, Fish House Road/Pennsylvania Avenue CR 659 project in the Town of Kearny, Hudson County is to mitigate the heavy truck traffic congestion, improve the existing aging roadway to accommodate the growing demands, and address flooding issues (See Figure 1-1, Project Location Map). The project includes widening of Fish House Road/Pennsylvania Avenue beginning south of the signalized Central Avenue/ Pennsylvania Avenue intersection and continuing northeast along Pennsylvania Avenue/Fish House Road to match the cross section of Fish House Road widened under the Route 7 Wittpenn Bridge project, also in the Town of Kearny, Hudson County. The proposed widening is designed primarily to accommodate increased traffic volumes while maintaining access for all property owners within the project limits. In the final configuration, left turns will not be permitted from Central Avenue northbound to Pennsylvania Avenue westbound. This turning movement will be made using 3rd Street south of Pennsylvania Avenue to Jacobus Avenue to Pennsylvania Avenue. The roadway profile within the project limits will be raised above the 10-year tidal surge elevation to alleviate roadway flooding within the project footprint and match the standard used in the adjacent Route 7 Wittpenn Bridge project. The project also includes the realignment and reprofiling of freight railroad track, including new at-grade crossings of Pennsylvania Avenue and of the CSX intermodal driveway. Safety improvements at the Pennsylvania Avenue crossing will include cantilevered flashing warning lights and drop gates to stop traffic in each direction of travel.

Proposed major project improvements include the following:

- Pennsylvania Avenue west of the Central Avenue intersection and Fish House Road will be widened to two 12' lanes in each direction and 3' shoulders with curbs to match the cross section and profile of Fish House Road constructed under the Route 7 Wittpenn Bridge Contract #4 project and, the lane configuration of Central Avenue.
- Raising the roadway profile of Pennsylvania Avenue and Fish House Road by up to 3' to be above the 10-year tidal surge elevation.
- Construction of retaining walls near the eastern limit of the project to minimize impacts to adjacent properties and environmentally sensitive areas.
- Existing railroad track and crossings will be reconstructed to comply with current design standards and will match the elevated roadway.
- Construction of active protection and warning systems at the railroad crossing of Pennsylvania.
- Existing signalized 'T' Intersection at Central and Pennsylvania Avenue will be eliminated and replaced with a through movement via a new curve. Restricted turning movements at this Intersection will be replaced with similar movements at Central & 3rd Street intersection via new traffic signal.
- Dedicated left turn lane on Pennsylvania Avenue eastbound to CSX Intermodal Facility will be provided to improve access to the property.
- Dedicated driveway access lane on Central Ave Northbound to CALIFORNIA LIMITED PARTNERSHIP & BE KEARNY L.P will be provided to improve access to the property.
- A sidewalk is proposed along the north side of Fish House Road. The limits will be from Pennsylvania Avenue to the driveway at 700 Fish House Road and will enable safe accessibility to businesses along Fish House Road. Sidewalk and curb ramps will be ADA compliant. The roadway cross section will have a 12ft. right lane and 3 ft. shoulder and be

**Portway, Fish House Road/Pennsylvania Avenue CR 659
INITIAL FINANCIAL PLAN**

bicycle compatible. In addition, ADA compliant curb ramps will be provided at the intersection of Central Avenue and 3rd street and 2nd Street and Jacobus Avenue.

- New drainage system will be constructed, including 42" trunk line along Pennsylvania Avenue to discharge the stormwater from the roadway.
- Ground improvements in the form of Load Compensation utilizing Foamed Glass Aggregate will be constructed for all elevated roadway sections and a column supported embankment system will be constructed to support both railroad crossings.
- All necessary Utility relocations will be performed as the initial part of construction.
- Repair, milling and repaving of adjacent local streets is included in the project due to new traffic patterns being implemented by the project.
- Construction of roadway lighting systems throughout the project limits is included.
- A new pole mounted ITS camera and fiber optic cable/conduit will be constructed.

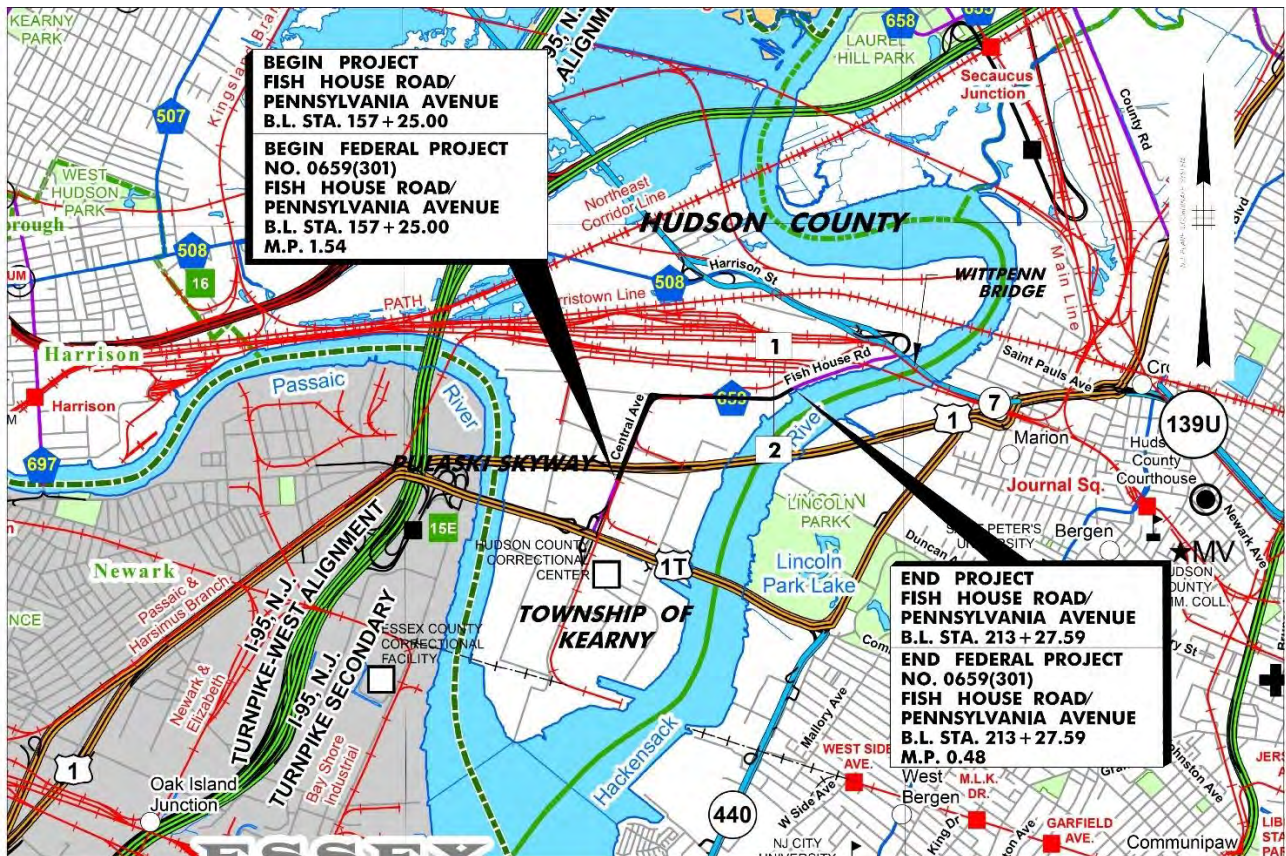


Figure 1-1: Project Location Map, Town of Kearny, Hudson County

1.2 Project History

Feasibility Assessment

Portway, Fish House Road/Pennsylvania Avenue (County Route 659) is one component of the Portway Phase I Corridor program, which comprises a series of infrastructure improvement projects proposed to strengthen freight access to and from the Newark — Elizabeth Air/Seaport Complex, intermodal rail facilities, trucking and warehousing/transfer facilities and the regional surface transportation system. These facilities and their access routes are the front door to global and domestic commerce for the State as well as the greater metropolitan region. The current freight transportation network causes major congestion on the existing outdated roadways and creates problems related to safety. The projected growth of freight traffic will only exacerbate the situation.

In 2001, NJDOT initiated a Feasibility Assessment (FA) study to look at improving the operational roadway conditions of the existing two-lane roadway section east of the CSX Intermodal Facility by widening the roadway section to four lanes. The section begins 480 feet south of the signalized Central Avenue/Pennsylvania Avenue “T” intersection and continues northeast along Pennsylvania Avenue/Fish House Road to connect to the Route 7 Wittpenn Bridge Project. Feasibility Assessment was completed, and a final report was prepared in August 2004.

Preliminary Engineering

After 10 years of dormancy, NJDOT initiated the Preliminary Engineering (PE) phase in 2014 for the project. During the PE phase, the Initially Preferred Alternative from Feasibility Assessment was reevaluated and compared with new information. Significant considerations included NJDOT’s desire to alleviate flooding conditions at the eastern end of the project. NJDOT established the 10-year tidal surge elevation as the benchmark for the roadway profile to decrease the number and severity of flooding events. The 10-year tidal surge elevation meant increasing the proposed roadway profile upwards of 3’ over existing elevations.

Coordination with Conrail was initiated to discuss the track and at-grade crossing relocation. The Initially Preferred Alternative (IPA) from the FA phase recommended that the at-grade crossing of Pennsylvania Avenue near the Central Avenue intersection would be shifted further east by reconstructing the track along the south side of Pennsylvania Avenue and following this alignment to a proposed crossing of Pennsylvania Avenue near the CSX South Kearny intermodal facility. Conrail indicated that reconstructing the track on this new alignment would require curves greater than 10-degrees (Conrail maximum) and thus was deemed unacceptable. The Preliminary Preferred Alternative (PPA) was modified to reconstruct the track and at-grade crossing of Pennsylvania Avenue to meet current track geometric standards. This meant keeping the at-grade crossing in a similar location to the existing, near the Central Avenue intersection and modifying the track profile to meet the higher roadway profile.

The aforementioned changes led to an investigation of various alternatives focused on the Pennsylvania Avenue/Central Avenue intersection and at-grade crossing. Ultimately, NJDOT selected an alternative that included the elimination of the existing 'T' intersection in favor of a through curve with two 12’ lanes in each direction. In addition, a driveway access lane was added to the cross section for Central Avenue northbound for access to the property on the north side of Pennsylvania Avenue (125 Pennsylvania Avenue). The driveway access lane is positioned left of the through lanes and is separated by a 4’ wide raised median. The proposed configuration of

Portway, Fish House Road/Pennsylvania Avenue CR 659
INITIAL FINANCIAL PLAN

this intersection eliminates the left turn movement from Central Avenue northbound to Pennsylvania Avenue eastbound. It also eliminates the Pennsylvania Avenue westbound movement across Central Avenue. It was proposed that these movements be replaced via the 3rd Street and Central Avenue intersection where a new traffic signal is proposed to allow safe turning movements. The PPA was refined to reflect these changes.

NJDOT convened a railroad Diagnostic Team Meeting in 2016 onsite with Conrail to review the existing and proposed warning devices, pavement markings and signage. The PPA as described above was considered in the decisions regarding protection, signage and pavement markings at the railroad crossing. A Memorandum of Record was issued by NJDOT with recommendations that included flashing warning lights mounted to a cantilevered structure and drop gates to stop traffic when a train approaches.

During the PE phase, technical environmental studies were completed to support the NEPA document. The Categorical Exclusion Document was approved by NJDOT in May 2017 and was approved by FHWA in February 2018. The Preliminary Engineering Report and Plans were finalized in September 2017.

Final Design

The Final Design (FD) phase began in May 2018 and built upon the Preliminary Preferred Alternative that was refined during the PE phase. The focus during FD included finalizing all roadway geometry, developing detailed typical and cross sections, designing the drainage system, preparing permit applications, coordinating with utility owners to resolve conflicts and develop relocations schemes, designing the track and grade crossing reconstruction, designing retaining walls and, preparing ROW plans and documents. The adjacent Route 7 Wittpenn Bridge project was experiencing settlement issues with the roadway profile increase on their portion of work on Fish House Road. This led to a more extensive subsurface investigation on the Portway Fish House Road/Pennsylvania Avenue project with deeper borings than those performed during the PE phase. The results of this investigation and subsequent analysis showed that deeper underlying soils are very sensitive to additional stresses placed upon them. The projected settlement induced by the placement of 3' of fill material would result in upwards of 13" of total settlement over time.

To address the settlement issue, several alternatives were developed and evaluated. For roadway settlement, a load compensation strategy was proposed whereby heavier existing soils would be removed and replaced with lightweight soil aggregate, specifically, foamed glass aggregate. For the grade crossings, a column supported embankment system was selected by Conrail. For ballasted track, several resurfacing of the track ballast will be undertaken during the construction phase to bring the top of rails to the designed elevation while also addressing settlement.

Conrail was provided the 60% submission for review and comment in September 2019. CSX was non-responsive until November 2022 because NJDOT and CSX failed to execute a Railroad Master Agreement until July 2022.

A Constructability and Risk Analysis Workshop was convened by NJDOT in January 2022. The Final Design Submission (FDS) was made on March 7, 2022. From March until August 2022, NJDOT subject matter experts (SME) provided comments on the FDS, and comment responses were developed and submitted to the SMEs for approval. Efforts to meet with CSX continued until the first meeting which took place on November 1, 2022. Feedback during this meeting included CSX's unwillingness to provide any closure of the intermodal driveway to allow for reconstruction

Portway, Fish House Road/Pennsylvania Avenue CR 659
INITIAL FINANCIAL PLAN

of the grade crossing over their driveway. This led to the need for an alternative staging sequence that necessitated the introduction of temporary track as the means to keep trains running while allowing for half of the driveway to be closed and the permanent grade crossing to be constructed on the other half. Revised plans were resubmitted to CSX in mid-November and comments were provide by CSX in January 2023. All contract documents were updated, and the PS&E Submission was made to NJDOT on March 24, 2023.

Environmental

Portway, Fish House Road/Pennsylvania Avenue (County Route 659) project will raise the profile of the roadway above the ten-year tidal surge flood elevation of 6.6 feet (NAVD 88) resulting in Environmental issues associated with the Flood Hazard Area involve work within the following regulated areas:

- Channels and unnamed tributaries associated with the Hackensack River.
- Riparian zones associated with the Hackensack River and the unnamed tributaries.
- Flood fringes associated with the tidal Flood Hazard Area of the Hackensack River.

In addition, the following specific activities are proposed within regulated areas:

- Stormwater management facilities within a hazard area, pursuant to N.J.A.C. 7:13-12.2;
- Excavation, fill, and grading activities, pursuant to N.J.A.C. 7:13-12.3;
- Placement of roadway structures within regulated areas, pursuant to N.J.A.C. 7:13-12.4;
- Roadway construction, pursuant to N.J.A.C. 7:13-12.6;
- Bridge and culvert construction, pursuant to N.J.A.C. 7:13-12.7;
- Utility line construction and reconstruction, pursuant to N.J.A.C. 7:13-12.8;
- Stormwater outfalls, pursuant to N.J.A.C. 7:13-12.9;
- Retaining wall construction, pursuant to N.J.A.C. 7:13-12.13; and
- Sediment/debris removal from a regulated water, pursuant to N.J.A.C. 7:13-12.15.

The entire project area is inundated by the 100-year tidal flood/ Zone AE, with a Base Flood Elevation (BFE) of 10.6' NAVD88 as shown on Preliminary Flood Insurance Rate Maps (FIRM) and transect maps for Hudson County. The flood hazard area and floodway for the Hackensack River has been established by Method 2 FEMA Tidal and confirmed with a NJDEP delineation map.

The wetland complex adjacent to Fish House Road has multiple Unnamed Tributaries (UNT) to the Hackensack River, the WSE for the existing condition due to the 100-year fluvial flow was determined using Method 6. The site was analyzed as a pond and the flood hazard area and floodway were calculated to be at elevation 6.45' NAVD88.

Per N.J.A.C. 7:13-4.1, the riparian zone for all regulated watercourses in this project is 50 feet, since there are no occurrences of threatened and endangered species within 1 mile of the project which is are critically dependent upon a regulated water as listed in the FHA Control Act Rules. Most of the areas to be impacted have been previously disturbed.

Since the project will disturb more than 1 acre of land (approximately 10 acres proposed) and the increase in impervious coverage will exceed a ½ acre (approximately 6.12 acres of net increase proposed), the project meets the definition of a “major development” and compliance with NJDEP stormwater management criteria (N.J.A.C. 7:8) is required. With the incorporation of two MTD's approximately 20 acres of parking lot and roadway runoff will receive treatment. Therefore, a net

Portway, Fish House Road/Pennsylvania Avenue CR 659
INITIAL FINANCIAL PLAN

improvement to the area-wide water quality is anticipated meeting the requirements of N.J.A.C. 7:8.

The proposed improvements will restore tidal conveyance between the wetland area and the tidally influenced Hackensack River by replacing the existing corrugated metal pipe (CMP) culvert, which is currently in poor condition and silted up. The size of the existing culvert could not be confirmed, and as-built plans show conflicting sizes from 48-inch to 68-inch. At the request of Hudson County, the existing culvert will be replaced with a 60-inch reinforced concrete pipe (RCP) culvert.

The NJ Historic Preservation Office was consulted on several historic resources located within the project's Area of Potential Effects. It was determined that the project will result in No Effect to these resources.

Concurrent Projects

The following concurrent projects are in the vicinity of the Portway, Fish House Road/Pennsylvania Avenue (County Route 659) project:

- Route 7, Kearny Drainage Improvements
- Route 1&9T / New Road, Contracts #2
- Pulaski Skyway, Contracts #8-10
- The NJ Turnpike Authority plans to begin rehabilitation and reconstruction along the Newark Bay – Hudson County Extension (Interstate 78)
- Portal North Bridge Replacement Project (NJ Transit/Amtrak)
- Koppers Coke project

Route 7, Kearny Drainage Improvements – The purpose of this project is to address existing drainage issues and flooding problems along Route 7 between Mileposts 1.50 and 3.80. Construction is scheduled to begin in Spring 2023. Roadway improvements include raising profile by a maximum of 3 feet where feasible. Multiple drainage system improvements will be constructed to mitigate flooding of Route 7. Additional improvements include modification of the approach slabs of the Route 7 Bridge over NJ Transit to increase the roadway profile above the 10-year tidal storm surge elevation. Electrical modifications will be made at the Route 7 and Porete Avenue signalized intersection.

Route 1&9T / New Road, Contract #2 – This contract will construct the southern portion of the proposed New Road from St. Paul's Avenue to Secaucus Road in Jersey City. The construction of Contract #2 will affect St. Paul's Avenue and the ramp from NJ Route 7 east to St. Paul's Avenue, which is just across the Wittpenn Bridge (NJ Route 7) from the north end of Fish House Road / CR 659. It is unlikely that work on New Road will affect work on Pennsylvania Avenue, but depending on the construction schedule, if New Road should open to traffic before completion of this project there will be traffic-related impacts that will need to be coordinated.

Pulaski Skyway, Contracts #8-10 - These contracts will complete roadway repairs to the Pulaski Skyway over Kearny, ultimately resulting in reopening the currently closed ramps to and from Broadway / US 1&9 Truck. The ramps to South Kearny near 2nd and 3rd Streets have already reopened and the remaining structural work generally does not affect traffic on or under the Skyway, so the ongoing contract or its completion should not significantly affect Fish House Road / Pennsylvania Avenue.

The NJ Turnpike Authority plans to begin rehabilitation and reconstruction along the Newark Bay – Hudson County Extension (Interstate 78), which will result in new and widened bridges and

Portway, Fish House Road/Pennsylvania Avenue CR 659
INITIAL FINANCIAL PLAN

roadways along that corridor. The resultant diversions that may occur as a result of construction would be anticipated to use US Routes 1&9 (Pulaski Skyway – cars only) and US 1&9 Truck, and there may be secondary effects on other parallel and connecting roads such as NJ Route 7. These traffic diversions may affect or exacerbate the construction effects of Central Avenue into Pennsylvania Avenue. Scheduling coordination should take place to avoid both projects conducting simultaneous activities that would both affect regional traffic.

The Koppers Coke project will redevelop a 130-acre site between Route 7 and the Hackensack River to include warehouses and a micro-grid to provide backup power for NJ Transit. Construction is scheduled to begin in Spring 2023. Roadway improvements include upgrading the Route 7 and Cross Pike Drive intersection to provide access to the proposed development. Improvements include installation of a traffic signal, widening of the intersection to include a left turn lane from Route 7 SB into the development, installation of exclusive right turn and left turn lanes on Route 7 NB, and reconstruction of the drainage systems at the intersection. These proposed improvements will impact the southern end of the Route 7, Kearny Drainage Improvements project. Therefore, the construction sequencing was developed such that construction of the Route 7, Kearny Drainage Improvements project will begin at the northern end of Route 7 and with the pump stations to avoid conflicts with the Koppers Coke construction.

The Portal North Bridge replacement project will construct a new fixed-span bridge to carry the Northeast Corridor over the Hackensack River to replace the existing swing bridge. The new Portal North Bridge and bridge approaches will provide 50-foot vertical clearance over the Hackensack River, thereby necessitating the replacement of the existing railroad bridge over Route 7. The new railroad bridge over Route 7 will be constructed parallel to the existing bridge. Construction of this project has begun and will also require utility relocations along Route 7. Construction access will also be provided from Route 7 and will be coordinated with the construction of the Route 7, Kearny Drainage Improvements project.

1.3 Current Project Activities

Contract Documents

The PS&E Submission for Portway, Fish House Road/Pennsylvania Avenue (County Route 659) took place on March 24, 2023.

Environmental Permits

The following environmental permits/approvals were approved:

Environmental Permit	Approval Date
NJDEP: <input type="checkbox"/> WATERFRONT DEVELOPMENT INDIVIDUAL PERMIT-WATERWARD, <input type="checkbox"/> WATERFRONT DEVELOPMENT INDIVIDUAL PERMIT-LANDWARD, <input type="checkbox"/> FLOOD HAZARD AREA INDIVIDUAL PERMIT, <input type="checkbox"/> FLOOD HAZARD AREA VERIFICATION, <input type="checkbox"/> FRESHWATER WETLANDS GENERAL PERMIT 10B, <input type="checkbox"/> FRESHWATER WETLANDS GENERAL PERMIT 11, <input type="checkbox"/> FRESHWATER WETLANDS TRANSITION AREA WAIVER, <input type="checkbox"/> WATER QUALITY CERTIFICATE (0907-20-0004.1; LUP200001)	1/2/2021

Portway, Fish House Road/Pennsylvania Avenue CR 659
INITIAL FINANCIAL PLAN

Environmental Permit (continued)	Approval Date
ACOE <input type="checkbox"/> NATIONWIDE PERMIT NO. 23	7/1/2022
NJPDES BGR <input type="checkbox"/> SURFACE WATER DISCHARGE PERMIT	2/27/2023
NJDEP TWA <input type="checkbox"/> TREATMENT WORKS APPROVALS	PENDING

Right-of-Way Acquisition

Right-of-Way acquisition commenced in September 2020 and NJDOT is planning to pursue a ROW waiver based on the following schedule.

Parcel	Status	Anticipated Availability
Conrail - R84A, E84C	Reached administrative settlement on R84A. In negotiations on E84C. Conrail Real Estate group is seeking internal approval to keep E84C as an easement parcel or needs NJDOT to change to a fee parcel - decision pending. ROE requirement added to the contract Special Provisions for the Contractor to apply for and obtain per recommendation from Conrail Chief Engineer.	Pending
CSX - ER84B	Still in appraisal stage. This is only a temporary easement parcel, and the staging plans maintain 24/7/365 access to their intermodal facility. Need to pursue a ROE.	Pending
Parkway Generation Operating, LLC - Parcel Series 85	Made offer and are negotiating; PGO made a counteroffer for triple the appraisal value. ROE executed on 4/5/23 for all parcels while negotiations continue.	Pending
RLF-1-Z SPE, LLC - Parcel Series 86	Made offer and are negotiating. Owner wants to get their own appraisal.	Pending
PSE&G - Parcel Series 87	Made offer and are negotiating. Cross easements exist between RLF and PSE&G. RLF needs to be involved in the negotiations.	Pending
BE Kearny, L.P. - Parcel Series 88	Made offer and are negotiating. Appears owner will sign an agreement and provide a ROE	Pending
Hudson County - Parcel Series 89	Reached agreement on the price. ROE - Hudson Co. has agreed to sign a ROE. DAG is negotiating	Pending

Utility Relocation Agreements

Utility Agreement Plans, signed checklists and cost estimates have been received from all utility companies with involvement in the project. Conrail provided a cost estimate, but the signed checklist remains outstanding. CSX has not yet provided a signed checklist or cost estimate for the project. The following companies have facilities within the project limits:

Utility/Railroad Company
CITY OF BAYONNE (WATER MAIN)
COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC (OVERHEAD CABLE LINES)
CROWN CASTLE FIBER, LLC (OVERHEAD FIBER OPTIC LINES)
CONSOLIDATED RAIL CORPORATION (RAILROAD TRACKS)
CONSOLIDATED RAIL CORPORATION (RAILROAD TRACKS)
TOWN OF KEARNY (WATER MAINS AND APPURTENANCES)
TOWN OF KEARNY POLICE DEPARTMENT (OVERHEAD FIBER OPTIC LINES)
KEARNY MUNICIPAL UTILITIES AUTHORITY (SANITARY SEWER MAINS & MANHOLES)
HESS CORPORATION (ABANDONED 10 INCH PIPELINE)
PUBLIC SERVICE ELECTRIC AND GAS CO. (OVERHEAD LINES AND POLES)
PUBLIC SERVICE ELECTRIC AND GAS CO. (GAS MAINS)
SUEZ WATER NEW JERSEY, INC. (OPERATES BAYONNE WATER MAIN)
VERIZON NEW JERSEY, INC. (OVERHEAD CABLE AND CONDUIT)
WILLIAMS TRANSCONTINENTAL (24 INCH PIPELINE)

Community Involvement

Various meetings were held with local businesses, Township of Kearny Officials and Hudson County Engineering through the Preliminary Engineering Phase. The primary focus of these meetings was to provide an update on the status of the project and solicit input and comments.

The following is a list of meetings:

- Hudson County Engineering on January 14, 2014 at the Hudson County offices
- Hudson County Engineering on November 4, 2015 at the Hudson County offices – ROW & Utility
- Follow up Hudson County Engineering on July 12, 2016 at the Hudson County offices – PPA
- PSE&G Corporate Properties on December 5, 2016 at the PSE&G Kearny Generating – Station office – PPA
- Township of Kearny Officials Briefing, December 8, 2016 at the Township of Kearny Municipal Building – PPA
- PSEG on December 12, 2016 at the South Plainfield Office – Discuss PSEG’s Proposed Substation on Central Avenue
- South Kearny Industrial Association January 18, 2017 at the River Terminal Development Company in the Township of Kearny – Introduction of Project

During the FD phase, NJDOT has been in regular communication with the Hudson County Engineer’s office. The FDS was also sent to the Engineer’s office for review and comments.

Construction Phase

Construction of the project is expected to begin in January 2024. There will be one construction contract for the entire project. It is anticipated that construction will be substantially complete in September 2028. Full completion of construction is anticipated for November 2028.

2.0 Cost Estimate

2.1 Project Cost Estimate

The current estimated cost of the Portway, Fish House Road/Pennsylvania Avenue CR 659 project is \$102.651 Million. **Figure 2-1** below is a graphical representation of the Cost Summary for the Portway, Fish House Road/Pennsylvania Avenue CR 659 project for the Initial Cost Estimate, Expenditures to Date, and Cost to Complete. The cost estimate includes all the completed work to date as summarized in **Table 2-1**. As of April 30, 2023, the project has expended \$5.745 million or 5.6 percent of the current project estimate.

The estimated costs include the overall costs to build including design, utility relocations, Construction Inspection, and Construction. The project's design is completed therefore no further expenditures are contemplated. NJDOT will annually compare the actual costs incurred to the project cost estimate and adjust the funding allocations if needed to confirm that future costs are reasonable and adequately funded.

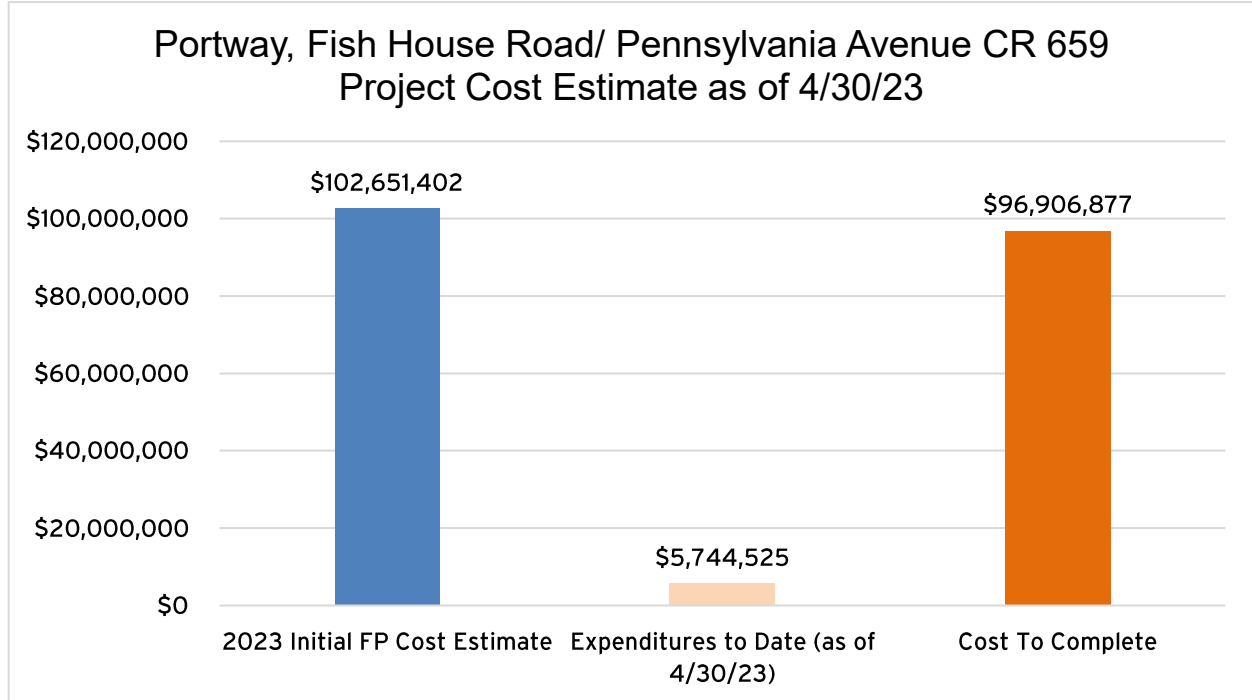


Figure 2-1: Cost Estimate Summary Chart

Table 2-1: Cost Estimate Summary (as of 4/30/23)

Phase	2023 Initial FP Cost Estimate	Expenditures to Date (as of 4/30/23)	Cost to Complete
Pre-Construction Activities			
Preliminary Engineering	\$1,317,898	\$1,163,295	\$154,603 *
Final Design – Consultant	\$4,023,177	\$3,606,733	\$416,444 *
Design – NJDOT	\$974,497	\$974,497	\$0 *
ROW Acquisition (State Funded)	\$0	\$0	\$0
Subtotal	\$6,315,572	\$5,744,525	\$571,047
Construction Activities			
Utility Relocations	\$6,670,201	\$0	\$6,670,201
Construction	\$90,236,676	\$0	\$90,236,676
Subtotal	\$103,222,449	\$0	\$97,477,924
Unused PE Funds	(\$154,603)	-	(\$154,603)
Unused FD Funds	(\$416,444)	-	(\$416,444)
TOTAL PROJECT	\$102,651,402	\$5,744,525	\$96,906,877

*PE and FD phases are complete. Additional expenditures after 4/30/23 are not anticipated.

2.2 Methodology

The cost estimate for the project was prepared using NJDOT format and methodology, which includes the following major elements of a typical construction project plus project-specific elements added as appropriate.

Preliminary Engineering

These costs were calculated from the actual costs from the Contract Modifications for Preliminary Engineering and data of actual costs from NJDOT's Financial Management Information System (FMIS).

Final Design

Final Design costs were calculated from the actual costs from the Contract Modifications for Final Design and data of actual costs from NJDOT's FMIS system.

Right-of-Way Acquisition

The Right-of-Way acquisition costs are State funded and not included in this Financial Plan.

Construction Cost

The construction cost estimate was completed using bid cost data provided in the AASHTOWare Project Cost Estimating System, which is NJDOT's primary tool for construction cost estimating. Unit costs from the AASHTOWare Project Cost Estimating System were reviewed and adjusted based on the project size, location, and site-specific conditions. Certain items were analyzed at a more granular level and a customized unit price was developed by the designer either because the item is non-standard with limited or no bid history in AASHTOWare or, the item was

infrequently used, and its component elements incorporated on other projects was difficult to ascertain and, in such cases deemed unreliable.

Utility and Railroad Relocations

The estimated cost for utility and railroad work performed by the companies directly is based on the final utility relocation schemes for the project, the division of work between the company and the State's contractor, and the cost estimates prepared by each company. The one exception is CSX as they have not yet provided a cost estimate however, their efforts is limited to inspection, consultation and review of submittals. CSX's efforts have been estimated by NJDOT and reflected in the overall utility and railroad costs.

Construction Management/Construction Inspection

The estimated cost is based on the assumption that approximately 3.2% of the construction cost will be required for construction inspection.

Construction Engineering Support Services

The estimated cost is based on the assumption that approximately 2.3% of the construction cost will be required for construction support services.

2.3 Cost Containment Strategies

NJDOT will consider cost containment strategies that may include, but are not limited to, the following:

- Liquidated Damages Clauses
- Review of project risk based upon documented assumptions

Documented practices for cost forecasting and detailed budget monitoring, combined with reasonable contingencies will be utilized to keep the project costs on target.

3.0 Implementation Plan

3.1 Project Implementation Schedule

The Project Implementation Schedule depicting the project history and anticipated milestones is shown in **Figure 3-1**. The project is expected to be authorized for construction in 2023. Construction is anticipated to begin in Fall 2023 through Fall 2028 and last approximately 60 months. There will be one construction contract for the entire project. The project construction schedule was prepared using Primavera software and in accordance with the *NJDOT Construction Scheduling Manual, 2013*. The construction schedule is included in **Appendix B**.

Task	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	
Preliminary Engineering	Start: 6/2013 End: 8/2019																	
Final Design								Start: 9/2019 End: 5/2023										
ROW Acquisition											Start: 1/2022 End: 12/2023							
Construction												Start: 9/2023 End: 7/2028						

Figure 3-1: Project Implementation Schedule

3.1.1 Project Implementation Schedule Breakdown

The project will require the use of several different crew types to handle the various types of construction operations needed for the project. Specialized work crews will be required for operations such as relocation, and construction of new utilities, construction of ground improvements, construction of rail and retaining walls.

Staging

Construction of the project will be divided into ten major stages. The work zones were determined based on the type of work to be constructed. In general, early utility work is to be followed by temporary and permanent rail construction, then by roadway ground improvements and remaining roadway improvements work. In addition, roadway work zones were established as a function of proposed elevated roadway profile and set to minimize traffic interruptions.

Flagging operations are expected for placement of Maintenance & Protection of Traffic, intersection, driveway, drainage, and utility work. The proposed staging anticipates that some work can be completed while still maintaining one lane of traffic in each direction for some stages while other stages will require the implementation of a one-direction detour following a route approved by NJDOT and Hudson County.

Anticipated construction staging is briefly summarized below.

Railroad work (July 2025 to July 2026)

Construction operations for temporary and permanent rail include protection of existing and

Portway, Fish House Road/Pennsylvania Avenue CR 659
INITIAL FINANCIAL PLAN

proposed utility crossings, installation of temporary sheeting, construction of temporary railroad track, construction of temporary roadway ramps leading to permanent, elevated rail, construction of Column Supported Embankment System for the railroad crossings, and construction of the permanent elevated rail. Construction operations for temporary and permanent rail include protection of existing and proposed utility crossings, installation of temporary sheeting, construction of temporary railroad line, construction of temporary roadway ramps leading to permanent elevated rail, construction of Column Supported Embankment System for the railroad crossings, and construction of the permanent elevated rail.

Structural work (January 2027 to April 2027 and September 2027 to March 2028)

Construction operations include construction of retaining walls #1 and #2 along Fish House Road.

Pre-Stage 1 and Stage 1 (January 2024 to January 2025) – Work will begin along Pennsylvania Avenue and Central Avenue including performing utility relocations and improvements to drainage facilities. Construction will begin on the new traffic signal at Central Avenue and 3rd Street. Temporary pavement will be constructed as necessary for future stages. To facilitate this work and the needed work vehicle access, Central Avenue northbound will be detoured at 2nd Street and fully closed at 3rd Street, with traffic detoured to Pennsylvania Avenue by way of Jacobus Avenue.

Stage 2 (January 2025 to October 2025) – Utility work will continue at the intersection of Pennsylvania Avenue and Central Avenue. Additional temporary pavement will be constructed along Pennsylvania Avenue. Access to western Pennsylvania Avenue will be closed at Central Avenue and will be detoured by way of 2nd Street and 3rd Street. The existing traffic signal at Pennsylvania Avenue and Central Avenue can be removed at any point from this stage on, as existing left-turn movements will not be restored, and the west side of Pennsylvania Avenue will be limited to right turns in/out only.

Stage 3 (October 2025 to January 2026) – Work will continue on drainage improvements and construction of the temporary rail line will begin. Temporary pavement will be constructed along the CSX Driveways to maintain access to the facility. Pennsylvania Avenue eastbound will be closed east of Central Avenue and traffic will be detoured by way of Central Avenue, US 1&9 Truck, NJ Route 7 and Fish House Road. This detour will remain in place through Stage 6A.

Stage 4 (January 2026 to February 2026) – Work on the temporary rail line will be completed and rail traffic will be shifted to the temporary line at the end of the stage.

Stages 5, 5A, 5B and 5C (February 2026 to August 2026) – The permanent rail line will be constructed. The work will be phased to maintain the same traffic patterns throughout the stage as rail line construction progresses. Drainage improvements will continue, and final roadway ground improvements will be installed.

Stages 6 and 6A (September 2026 to January 2027) – Work will be phased along Pennsylvania Avenue to continue drainage improvements and pavement reconstruction.

Stages 7, 7A, 7B and 7C (January 2027 to August 2027) – Final roadway ground improvements and pavement reconstruction along Pennsylvania Avenue will be performed. The work will be phased to reconstruct driveways to the CSX Transportation facility and multiple traffic shifts will be installed to maintain access as the existing grade is raised. Beginning in Stage 7, two-way traffic on the east side of Pennsylvania Avenue is restored and the new traffic signal at Central Avenue and 3rd Street will be operational. A detour will be required during Stage 7 for truck access

Portway, Fish House Road/Pennsylvania Avenue CR 659
INITIAL FINANCIAL PLAN

from the west side of Pennsylvania Avenue to Central Avenue due to geometric restrictions, and all vehicles will be detoured during Stages 7B and 7C due to Pennsylvania Avenue eastbound closure at Central Avenue.

Stages 8, 8A and 9 (August 2027 to August 2028) – Work on ground improvements, drainage and pavement along Pennsylvania Avenue and Central Avenue will continue. Pavement reconstruction along the southern portion of the west side of Pennsylvania Avenue will occur. Adams Street will also be reconstructed. The work will be phased to maintain all traffic movements, except a detour will be implemented for westbound Pennsylvania Avenue traffic to access the west side of Pennsylvania Avenue and Adams Street will be one-way northbound during these stages.

Stage 10 (August 2028 to September 2028) – All remaining items will be completed, including final pavement, channelizing islands, signing and striping. There will be no detours during this stage.

Winter Season Work

Pavement reconstruction and/or placement of concrete will be restricted within the winter shutdowns. Work that will be completed during the winter months includes the advance utility work mentioned above in addition to construction of Column Supported Embankment System for the Railroad crossings, elevated railroad track and railroad crossing gates, Drainage Trunk Line, installation of temporary sheeting and Foamed Glass Aggregate ground improvements for roadway sections.

4.0 Project Financing

4.1 Overall Financial Plan

The project requires funding of \$102.651 Million, including design costs totaling \$6.315 million that have been previously allocated to the project.

The current Fiscal Year (FY) 2022-2031 Statewide Transportation Improvement Program (STIP) includes \$65.931 million for construction in fiscal year 2023. A TIP Modification for the project (**see Appendix C**) will be presented to NJTPA that includes the following:

- Adds \$32.069 million for construction in FY 2023
- Increases STBGP-FLEX funding for construction in FY 2023 by \$32.069 million, from \$41.055 million to \$73.124 million

Table 4-1: Project Funding (Proposed TIP Modification)

Phase	Funding Source	FY 2023	FY 2024	FY 2025
Construction	NHFP-HWY	\$24.876 M		
Construction	STBGP-FLEX	\$73.124 M		
Construction	Total	\$98.000 M		

The proposed TIP modification will allocate the entire Construction funding amount of \$98.0 million in FY 2023. Construction of the Portway, Fish House Road/Pennsylvania Avenue project is expected to begin in FY 2023 and extend through the fall of FY 2028. Any yearly modifications in the STIP/TIP will be reflected in the yearly updates to this Financial Plan.

4.2 Forecasting Project Cost Compared to Allocations by Fiscal Year

The funding for future Fiscal Years in the FY 2022-2031 STIP is programmed for FY 2023, and the proposed TIP modification will reallocate the entire construction funding of \$98.0 million to FY 2023. Construction of the project is expected to begin in FY 2024 and extend through the end of FY 2029. Through the annual 10-year program update, funding allocations will be adjusted to attempt to match projected fiscal year expenditures with annual allocations.

Figure 4-1 illustrates a summary of the projected expenditures versus allocations by fiscal year. The Cash Flow Table for the project in **Figure 4-2** and is included in **Appendix D**. As illustrated in the figures, the funding for construction will be fully allocated in FY 2023 based on the proposed TIP modification. However, future funding allocations will need to be adjusted in the STIP to account for projected expenditures in FFY 2024 through FFY 2029.

Total expected project expenditures (including design, utilities, and construction) are \$102.651 Million. Available funding with the proposed TIP Modification will be equal to \$98.000 million.

Portway, Fish House Road/Pennsylvania Avenue CR 659
INITIAL FINANCIAL PLAN

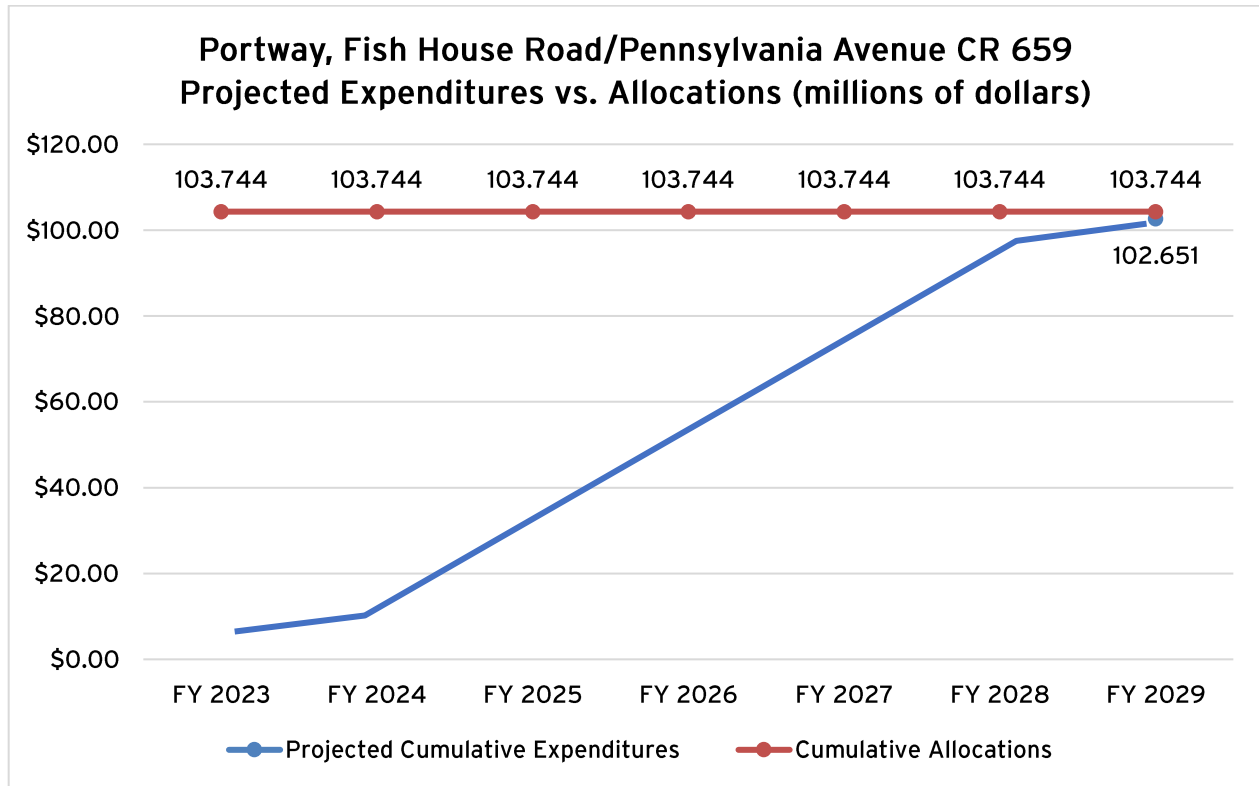


Figure 4-1: Projected Project Expenditures

Portway, Fish House Road/Pennsylvania Avenue CR 659
INITIAL FINANCIAL PLAN

Projected Expenditures

Portway, Fish House Road/ Pennsylvania Avenue CR 659 Cash Flow Tables As of April 30, 2023 and To Complete (\$ in Millions)							
PROJECTED EXPENDITURES							
Description	Phase	Source	Funding Type	FFY 23	FFY 24	FFY 25-30	TOTAL
Pre-Construction Activities							
Preliminary Activities	DES	Federal		\$1.429			\$1.429
Final Design	DES	Federal		\$4.316			\$4.316
Right-of-Way	ROW	State		\$0.000			\$0.000
Pre-Construction Subtotal				\$5.744			\$5.744
Construction							
Construction	CON	Federal		\$96.907			\$96.907
Construction Subtotal				\$96.907			\$96.907
Total Project Expenditures				\$102.651	\$0.000	\$0.000	\$102.651
Total Project Expenditures Cumulative				\$102.651	\$102.651	\$102.651	\$102.651

Available Resources

Portway, Fish House Road/ Pennsylvania Avenue CR 659 Cash Flow Tables As of April 30, 2023 and To Complete (\$ in Millions)							
AVAILABLE RESOURCES							
Description	Phase	Source	Funding Type	FFY 23	FFY 24	FFY 25-30	TOTAL
Pre-Construction Activities							
Preliminary Activities	DES	Federal		\$1.429			\$1.429
Final Design	DES	Federal		\$4.316			\$4.316
Right-of-Way	ROW	State		\$0.000			\$0.000
Pre-Construction Subtotal				\$5.744			\$5.744
Construction							
Construction	CON	Federal	NHFP-HWY	\$24.876			\$24.876
Construction	CON	Federal	STBGP-FLEX	\$73.124			\$73.124
Construction Subtotal				\$98.000			\$98.000
Total Available Resources				\$103.744	\$0.000	\$0.000	\$103.744
Total Available Resources Cumulative				\$103.744	\$103.744	\$103.744	\$103.744

	FFY 23	FFY 24	FFY 25-30	TOTAL
Cumulative Budget Surplus (Deficit)	F \$1.093	\$1.093	\$1.093	\$1.093

Figure 4-2: Project Funding and Costs (in millions)

5.0 Public Private Partnership Delivery

Fish House Road/Pennsylvania Avenue CR 659 is under the jurisdiction of Hudson County. At the conclusion of the project, Hudson County will retain ownership and jurisdiction. The project does not result in a revenue stream for the State of New Jersey. Revenue streams such as Tax Increment Financing or tolling are not feasible for this roadway. Additionally, the project does not introduce any development potential, so taxing new development potential is also not a feasible option. With a project cost of approximately \$102.651 Million, the required investment compared to the potential rate of return is not lucrative for a public private partnership and the ability to attract investors is very low. Therefore, the Portway, Fish House Road/Pennsylvania Avenue CR 659 project is not a viable candidate for a public-private partnership.

6.0 Risk Identification and Mitigation Factors

6.1 Risk Factors

NJDOT's Risk Management Process is intended to result in the effective management of project risks during the entire Capital Project Delivery Process. NJDOT conducted a Constructability and Risk Analysis Workshop for this project in January 2022. Risk management is categorized into three parts: risk identification, risk analysis, and action. Key elements of the risk management process are to identify potential risks, analyze the probability of occurrence and the magnitude of impact, and develop options and actions to enhance opportunities and reduce threats. It is also critical to monitor identified and potential risks throughout the project process.

With a project of this magnitude and complexity, there are major risks that may be encountered that could impact the project. These risks and potential mitigation measures are described below.

General Construction

General Construction risks include the following:

- Contractor may encounter unforeseen subsurface or differing site conditions, which may require corrective action or change of plan prior to completing the construction work.
- Utility work takes longer than anticipated and impacts construction staging and traffic control.
- Full-depth pavement repair activities are not adequately identified in the construction CPM schedule, resulting in construction paving activity impacts.
- External stakeholders may make demands/request design changes late in project development.
- External stakeholders may make demands to incorporate new elements into the project not currently envisioned, resulting in changes.

Mitigation options for these risks include:

- NJDOT Standard procedures will apply should this happen
- Used conservative approach with relocation time estimates in the construction schedule to allow for potential delays. Incorporated utility relocations into the construction contract to be constructed by the State's contractor as utility owners allowed.
- Identified existing pavement conditions through pavement coring program, recent field visit and discussion with NJDOT
- Addressed concerns of stakeholders from the beginning of design phase and kept in frequent contact with Hudson County under whom the jurisdiction of this roadway falls.
- Communicated the project improvements with all stakeholders and secure their buy-ins early in the project.

Utility Coordination

Utility risks include the following:

- Conrail may not provide timely approval of ground improvements under the new at-grade crossing.
- Conrail may not provide timely approval of the 100% Railroad submission and signed utility checklist.
- Conrail RR signal design and construction may lag, affecting overall schedule.
- PSE&G Electric will be performing relocations on several projects in the area and may experience delays in scheduling crews for this project, causing schedule impacts.
- Utility relocations and facilities in proximity to the proposed sheeting and traffic signal may

restrict certain construction methods.

Mitigation options for these risks include:

- Proactively engage with Conrail and provide detailed information for their assessment well in advance of when approvals are needed to allow for discussion of potential options should issues arise to obtain Conrail approval.
- Utilize designer's rail group resources to maintain contact and cooperation with Conrail.
- Maintain regular coordination with Conrail to maintain schedule.
- Conduct continuous coordination with utility companies throughout Final Design and construction such that the utility relocations remain on schedule.
- Implement advance utility relocations to the maximum extent feasible.
- Develop a schedule for work by outside parties/contractors. Provide the utility company with ample notice as to when relocations will need to occur so that the utility company has adequate time for scheduling and mobilization.
- Coordination by NJDOT among all area projects regardless of sponsoring agency is recommended to prevent or minimize schedule impacts.
- Develop plan for concurrent utility relocations since they will likely be constructed at the same time.

Right-of-Way Availability

This project requires Right-of-Way acquisitions for 17 individual parcels, as described previously in Section 1.3. Risks associated with this process include the following:

- Potential construction delays if Right-of-Way is not available prior to the start of construction.
- Where ROW is needed, the ROW cost estimate may be inaccurate/additional funding may need to be secured, resulting in schedule impacts.

Mitigation options for this risk include:

- Continue coordination and negotiations with individual property owners such that ROW is secured prior to construction authorization. On parcels where this is not possible, obtain a Right of Entry (ROE) from the property owner
- Engage NJDOT ROW negotiations as early as possible. Final ROW Submission was 4/2019 and the acquisition team has been at work since 8/2019. Incorporate realistic ROW availability dates into the special provisions file for the project for all parcels where an agreement has not been executed.

Traffic Control/Maintenance & Protection of Traffic

This project is very complex and involves significantly raising of the roadway profile, construction of temporary and permanent railroad track, extensive utility work and substantial ground improvements along the entire roadway corridor that will result in multiple traffic pattern shifts, lane closures, a one-direction detour, and a large number of construction stages. Allowable lane closure hours and detour routes are also limited, as is embankments are steep and available Right-of-Way. Additionally, there are several concurrent projects in the vicinity of Portway, Fish House Road/Pennsylvania Avenue CR 659 with which to coordinate.

Mitigation options for this risk include:

- Use of alternating traffic during overnight construction.
- Contractor use of additional crews for traffic control.
- Coordinate construction activities with concurrent projects to confirm that proposed traffic staging and detours are not impacted.
- Utilize portable VMS signs and travel time readers during construction to alert the public

about changing traffic patterns, lane closures and travel times.

- Communicate with Google and other map service providers to change navigation instructions.
- Consider the use of electronic and social media to disseminate construction information to the motoring public.
- Minimize significant construction activities during peak travel times.

Flooding

Since the project area is susceptible to flooding, flood water may overtop the roadway and walls, leading to construction delays. Mitigation options for this risk include:

- Notify the contractor in the contract documents that the roadway is prone to flooding during certain events that may cause schedule delays and impact the construction.
- Provide flood elevations for sheeting to avoid overtopping.
- Added pay item to clean existing drainage system that is to remain.

Ground Improvements

Ground Improvement risks include the following:

- Due to elevated proposed roadway and Railroad line profile, implementation of ground improvements was a necessary measure to limit settlement that may delay the project.
- Displacement impacts from settlement and vibration to existing and proposed facilities.
- Due to elevated proposed roadway and railroad track profile, implementation of ground improvements was a necessary measure to limit settlement which may delay the project.
- Soft compressible soils beyond what is anticipated based on the geotechnical investigation.

Mitigation options for this risk include:

- Implement a vibration and settlement monitoring program to monitor conditions and adjust excavation limits and depth of foamed glass aggregate to reduce stresses on weak underlying soils.
- Proposed a column supported embankment system with Conrail's approval to support the railroad crossings at Pennsylvania Avenue and CSX driveway to virtually eliminate settlement.
- Incorporate a vibration monitoring pay item and specification to also include settlement monitoring
- Undercut and stabilize with geogrid to create a stable working platform for constructability. Investigate extents of unanticipated soft ground encountered by the contractor and investigate long term impacts along with potential solutions.
- Included a pay item to reballast the approach track as a mitigation measure with Conrail's approval

Environmental

Environmental risks include the following:

- Unforeseen environmental conditions may be identified during construction, resulting in new environmental impacts and/or changes.
- Approval of treated ground water discharge permit (BRG permit) by NJDEP may be delayed.

Mitigation options for this risk include:

- All excavated materials will be treated as regulated material and disposed of offsite
- Incorporate changes into contract documents and update the cost estimate.
- Monitor the ground water discharge permit approval process to obtain timely issuance of

this permit

- Entire Project Corridor lies within mapped historic fill. Anticipate encountering Historic Fill-impacted material. Treatment of groundwater is anticipated and will be included in the project specifications.

Construction Change Orders

Construction change orders may increase the overall cost of the project. Additionally, material acquisitions have significantly increased as a result of the COVID-19 pandemic.

Mitigation options for this risk include:

- Control scope creep and check that change orders are necessary
- Identify critical materials and activities that might be affected and prepare contingency plans

6.2 Cost Increase Risks

Financial risks for this project include cost increase risks and revenue sufficiency risks as described below. The construction cost for this project is \$96.907 Million, and allocated funding for Construction on the STIP and the proposed TIP Modification is \$98 Million, which fully funds construction of the project. Any further increase in construction cost would further impact the STIP funding and result in the need to shift funds from other projects or delay construction of this project.

To mitigate the risk of receiving high bids, NJDOT will consider the following mitigation strategy:

- Include contingencies for construction
- Incorporate lead times into the construction schedule

Additional challenges include supply chain problems that make it difficult to budget for and procure construction materials. Closed-Circuit Television Camera Structures, traffic signal poles, computer and electronic components, steel gas materials are all subject to long lead times due to supply chain issues.

- Steel Gas Pipe and Appurtenances – 120 days
- Water Pipe and Appurtenances – 120 days
- Traffic Signal Assemblies – 200 days
- CSS Assemblies – 120 days
- Foamed Glass Aggregate – 60 days

Inflated prices of construction materials have led to increased costs for construction projects throughout New Jersey and the nation. Inflation and supply chain issues have been impacted by many factors including the COVID-19 pandemic. The producer price index for inputs to construction rose more than 7% in 2022, which outpaced the 6.5% rise in the consumer price index (inflation). Costs are expected to continue to rise throughout 2023. Increases in material costs should be monitored as the project progresses, as construction is expected to continue for approximately 5 years.

Unanticipated site conditions also represent a risk for a project of this magnitude. There is also a risk that increasing fuel, asphalt and steel prices will increase the project cost. To mitigate this risk, the bid proposal includes pay items for price adjustments for those three commodities as compensation to the contract holder for fluctuations in prices over the life of the project. Using the award date as the base point, price adjustments can be paid in accordance with the Standard Specifications for Road and Bridge Construction as amended by the project's Special Provisions.

6.3 Revenue Sufficiency Risks

Federal funds are the funding source for this project. The funding plan is for one year (FFY 2023). The proposed TIP modification will add \$32.069 Million in additional STBGP-FLEX funding. There are financing risks associated with the current funding plan as described below.

There is the risk that the project cost will increase due to change orders during construction. NJDOT typically funds change orders through supplemental authorizations. Funding change orders through supplemental authorizations may take obligation authority from current programmed unobligated state items.

NJDOT Division of Capital Investment and Program Coordination is responsible for developing the STIP, which will provide funding for this project. Portway, Fish House Road/Pennsylvania Avenue CR 659 project (0659(301)) is included in Plan 2050, which is the North Jersey Transportation Planning Authority's (NJTPA) Long-Range Plan. The project is part of the Portway program of projects and is in the Local System Support-Local Roadway Improvements asset management category. This is an important project for the port region therefore, it is critical that NJDOT and NJTPA work together to confirm that adequate funding is programmed for this project.

7.0 Annual Updates

Annual updates of this Financial Plan will provide information on the actual cost and expenditure performance in comparison to initial estimates. Additionally, the plan will be updated with estimates of future year obligations and expenditures.

Yearly updates to this plan will include updates to the Funding and Cash Flow sections of the plan to reflect actual cost-to-date and cost-to-complete estimates. These estimates will be shown in year of expenditure dollars to be consistent with the initial financial plan document. Any significant changes to the total project cost or schedule since the previous estimate will be identified, and major reasons for these changes will be clearly described. If significant changes are anticipated, actions to monitor project cost and/or project schedule will be identified.

Design, utility, and Construction costs for this project are federally funded. Annual updates will be submitted to NJDOT within 90 days following the end of the Federal Fiscal Year.



State of New Jersey

DEPARTMENT OF TRANSPORTATION
1035 Parkway Avenue
PO Box 600
Trenton, New Jersey 08625-0600

MPO: **NJTPA**

PROJECT: **Portway, Fish House Road/Pennsylvania Avenue, CR 659**

DBNUM: 97005B

TRACK #: N-97005B-3-M-2022

TYPE OF PROJECT CHANGE: Project Cost increase

ACTION TAKEN: Increases STBGP-FLEX funding for CON in FFY 23 from \$41.055M by \$32.069M to \$73.124M.
Increases overall CON funding from \$65.931M by \$32.069M to \$98M.

REASON FOR CHANGE:

- 1) Change in construction staging to increase work zone width (NJDOT comment) and address Conrail concerns for reconstructing the at-grade railroad crossing of Pennsylvania Ave. The result was the addition of more stages.
- 2) Implementation of a one-direction detour necessary to address changes noted in #1
- 3) Changes from 1 & 2 increased the duration of construction by more than 1 year. All items calculated on the length of the contract increased accordingly
- 4) Incorporation of a temporary track pay item necessary to reconstruct the at-grade crossing of the CSX Intermodal driveway due to their refusal to accept 4 weekend closures
- 5) Inclusion of a new pay item for track resurfacing to address expected settlement
- 6) Updated cost estimate from Kearny Water for the reconstruction of their water main and pile support system for the new main (all work to be performed by the State's contractor)
- 7) Cost of the load transfer platform for the at-grade railroad crossings increased significantly based on the final design and approval of the system. BidX data used previously was misleading as this item is not used in many NJDOT projects and components may vary. HNTB's detailed estimate revealed a significant difference in system component prices resulting in a major unit price change
- 8) Items calculated on the basis of raw construction cost increased accordingly
- 9) Across the board increases in item unit prices based on the most recent BidX data obtained when the PS&E cost estimate was finalized in March 2023

MPO ACTION REQUIRED: Action requires MPO board approval

FISCAL CONSTRAINT:

Comments: See NJTPA FY 22-31 Chart 82

Attachment H.2.

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2022 – 2025
TRANSPORTATION IMPROVEMENT PROGRAM TO
ADD FEDERAL FUNDS TO THE PORTWAY, FISH HOUSE
ROAD/PENNSYLVANIA AVENUE, CR 659 PROJECT IN
HUDSON COUNTY AS REQUESTED BY THE NEW
JERSEY DEPARTMENT OF TRANSPORTATION**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2022 – 2025 Transportation Improvement Program (TIP) on September 13, 2021; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when a project or program with federal funds is added to the TIP or when federal funds above a specified threshold are added to a project, and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, the New Jersey Department of Transportation has requested the addition of federal funds for the Portway, Fish House Road/Pennsylvania Avenue, CR 659 project (DBNUM 97005B) in Hudson County; and

WHEREAS, the Infrastructure Investment and Jobs Act provides the resources for this project; and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to these actions; and

WHEREAS, the FY 2022 - 2025 TIP conforms to the performance-based planning requirements of the Infrastructure Investment and Jobs Act and its predecessor legislation; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the

meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendments to the FY 2022 – 2025 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Summary of Action

Minor Amendment to the FY 2022 - 2025 Transportation Improvement Program to Add Federal Funds to the Portway, Fish House Road/Pennsylvania Avenue, CR 659 Project in Hudson County as Requested by the New Jersey Department of Transportation

Action: Approval of a request from the New Jersey Department of Transportation (NJDOT) to amend the FY 2022 – 2025 Transportation Improvement Program (TIP) by programming additional federal funds for the Portway, Fish House Road/Pennsylvania Avenue, CR 659 project in Hudson County, as further detailed below.

Background: According to the TIP Memorandum of Understanding (MOU), when a project or program is added to the TIP or when federal funds are added above the specified threshold, and a new air quality conformity determination is not required, this constitutes a minor amendment, and action is required by the NJTPA Project Prioritization Committee and the NJTPA Board of Trustees. The following TIP revision falls within the MOU guidelines to be approved as a minor amendment.

The revision has been reviewed by NJTPA Capital Programming staff and Hudson County concurs with the revision. The project is exempt from an air quality conformity determination and the change does not impact the current conformity determination. Fiscal constraint is maintained. Additional project and financial information are detailed in the attached documents.

Minor Amendment:

- **Portway, Fish House Road/Pennsylvania Avenue, CR 659, Hudson County, DBNUM 97005B**
This request is to add Surface Transportation Block Grant Program Flexible (STBGP-FLEX) funding for Construction in Federal Fiscal Year (FFY) 2023 in the amount of \$32.069 million, increasing the total STBGP-FLEX funding from \$41.055 million to \$73.124 million. This revision (an increase in overall total funding for construction to \$98.0 million) is being made due to design complexities of the project's at-grade railroad crossings and utility relocation work, which resulted in quantity increases, the incorporation of various new items, changes in construction staging and traffic patterns, and cost increases on specialty work items. The cost estimate for unit prices across the board was also increased due to escalating construction costs observed in recent bid prices and an increase in construction duration by more than one year.

Justification for Action: Approval of this minor amendment to the FFY 2022 – 2025 TIP will allow the funds to be secured and the projects to advance.

Staff Recommendation: Central Staff recommends approval of this action.

PENDING ACTION

NJTPA

Transportation Improvement Program Fiscal Years 2022 - 2025

Routes: / CR 659

Mileposts: 0.5-1.4

DBNUM: 97005B

Name: Portway, Fish House Road/Pennsylvania Avenue, CR 659

This project provides roadway reconstruction. The project includes two 12-ft lanes, and a 12-ft shoulder, Eastbound and Westbound, along Pennsylvania Avenue/Fish House Road. Sidewalks will be provided along the Eastbound side of Central Avenue.

Counties: Hudson

Municipalities: Kearny Town

Project Type: Freight

RCIS Category: Freight

Sponsor: NJDOT

Est. Total Project Cost: (Million) \$98.000

TIP:

CURRENT

FY 2022 - 2025 TIP Cost: (Million) \$65.931

Unconstrained
Information Year

MPO	PHASE	SOURCE	2022	2023	2024	2025	2026-2031
NJTPA	CON	NHFP-HWY		\$24.876			
NJTPA	CON	STBGP-FLEX		\$41.055			
				\$65.931			

PENDING

FY 2022 - 2025 TIP Cost: (Million) \$98.000

Unconstrained
Information Year

MPO	PHASE	SOURCE	2022	2023	2024	2025	2026-2031
NJTPA	CON	NHFP-HWY		\$24.876			
NJTPA	CON	STBGP-FLEX		\$73.124			
				\$98.000			



State of New Jersey

DEPARTMENT OF TRANSPORTATION
1035 Parkway Avenue
PO Box 600
Trenton, New Jersey 08625-0600

MPO: NJTPA

PROJECT: Portway, Fish House Road/Pennsylvania Avenue, CR 659

DBNUM: 97005B

TRACK #: N-97005B-3-M-2022

TYPE OF PROJECT CHANGE: Project Cost increase

ACTION TAKEN: Increases STBGP-FLEX funding for CON in FFY 23 from \$41.055M by \$32.069M to \$73.124M.
Increases overall CON funding from \$65.931M by \$32.069M to \$98M.

REASON FOR CHANGE:

- 1) Change in construction staging to increase work zone width (NJDOT comment) and address Conrail concerns for reconstructing the at-grade railroad crossing of Pennsylvania Ave. The result was the addition of more stages.
- 2) Implementation of a one-direction detour necessary to address changes noted in #1
- 3) Changes from 1 & 2 increased the duration of construction by more than 1 year. All items calculated on the length of the contract increased accordingly
- 4) Incorporation of a temporary track pay item necessary to reconstruct the at-grade crossing of the CSX Intermodal driveway due to their refusal to accept 4 weekend closures
- 5) Inclusion of a new pay item for track resurfacing to address expected settlement
- 6) Updated cost estimate from Kearny Water for the reconstruction of their water main and pile support system for the new main (all work to be performed by the State's contractor)
- 7) Cost of the load transfer platform for the at-grade railroad crossings increased significantly based on the final design and approval of the system. BidX data used previously was misleading as this item is not used in many NJDOT projects and components may vary. HNTB's detailed estimate revealed a significant difference in system component prices resulting in a major unit price change
- 8) Items calculated on the basis of raw construction cost increased accordingly
- 9) Across the board increases in item unit prices based on the most recent BidX data obtained when the PS&E cost estimate was finalized in March 2023

MPO ACTION REQUIRED: Action requires MPO board approval

FISCAL CONSTRAINT:

Comments: See NJTPA FY 22-31 Chart 82

CONFORMITY:

PUBLIC INVOLVEMENT:

Attachment H.3.

**DRAFT RESOLUTION: MINOR AMENDMENTS TO THE FY 2022 – 2025
TRANSPORTATION IMPROVEMENT PROGRAM TO
ADD FEDERAL FUNDS TO THE PAVEMENT
PRESERVATION, NJTPA PROGRAM AS REQUESTED BY
THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2022 – 2025 Transportation Improvement Program (TIP) on September 13, 2021; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU, when federal funds above the specified threshold are added to a program in the TIP or a project phase of work is programmed into the unconstrained years of the TIP, and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, the NJDOT has requested the addition of federal funds to the Pavement Preservation, NJTPA program (DBNUM X51B); and

WHEREAS, the NJDOT has requested the addition and reprogramming of federal funds due to previously unanticipated schedule changes to the Route 206, Valley Road to Brown Avenue (DBNUM 780A) and Route 71, Bridge over NJ TRANSIT (NJCL) (DBNUM 15449) projects, and the funds released from this action will be programmed for the Pavement Preservation, NJTPA program; and

WHEREAS, funds are available for these purposes; and

WHEREAS, these minor amendments are exempt from an air quality conformity determination and do not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to these actions; and

WHEREAS, the FY 2022 – 2025 TIP conforms to the performance-based planning requirements of the Infrastructure Investment and Jobs Act and its predecessor legislation; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for public review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until 10 days (Saturdays, Sundays and public holidays excepted) after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendments to the FY 2022 – 2025 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Summary of Action

Minor Amendments to the FY 2022 – 2025 Transportation Improvement Program to Add Federal Funds to the Pavement Preservation, NJTPA Program as Requested by the New Jersey Department of Transportation

Action: Approval of a request from the New Jersey Department of Transportation (NJDOT) to amend the FY 2022 – 2025 Transportation Improvement Program (TIP) by programming additional federal funds for the Pavement Preservation, NJTPA program to advance 11 projects.

Background: According to the TIP Memorandum of Understanding (MOU), when funds are added above the specified threshold and a new air quality conformity determination is not required or if a phase of work is programmed out of the constrained years of the TIP, this constitutes a minor amendment, and action is required by the NJTPA Project Prioritization Committee and the Board of Trustees. The following TIP revisions fall within the MOU guidelines to be approved as minor amendments.

The revisions have been reviewed by Capital Programming staff. Fiscal constraint is maintained for these changes. Additional funds required for the Pavement Preservation, NJTPA program are available through funds released from two projects which have experienced previously unanticipated schedule changes: the Route 206, Valley Road to Brown Avenue project in Somerset County and the Route 71, Bridge over NJ TRANSIT (NJCL) project in Monmouth County. The counties concur with the revisions to these two projects. These revisions do not impact the current conformity determination. Additional program and funding information are provided in the attached documents.

Minor Amendments:

- **Pavement Preservation, NJTPA DBNUM X51B**
This action adds \$98.180 million in National Highway Performance Program (NHPP) funds for engineering and construction in Federal Fiscal Year (FFY) 2023, increasing the total from \$64.621 million to \$162.801 million. This action is necessary to cover \$84.101 million of anticipated FFY 2023 Pavement Preservation authorizations in the NJTPA region, including:
 - *Route 22 EB, Route 78 to Route 28 (Eastern Turnpike) - \$6.5 million (Hunterdon & Somerset Counties)*
 - *Route 206, Morris & Sussex Turnpike to Price Road / Decker Road - \$5.630 million (Sussex County)*
 - *Route 287, Route 80 to Route 202 - \$8.798 million (Morris County)*
 - *Route 57, Route 22 to Route 31 - \$4.223 million (Warren County)*
 - *Route 202, CR 512 (Liberty Corner Road) to MacCulloch Avenue - \$4.685 million (Somerset & Morris Counties)*
 - *Route 9, Route 195 to Plaza Court - \$16.178 million (Monmouth County)*
 - *Route 35, Brookwood Drive to Riverdale Drive - \$12 million (Monmouth County)*
 - *Route 71, Cedar Avenue to Route 35 - \$4.099 million (Monmouth County)*
 - *Route 1, International Way to Raymond Boulevard - \$9.2 million (Essex County)*

- *Route 31, Route 202 to Route 78 /Route 22 - \$7.660 million (Hunterdon County)*
- *Route 22, Wilson Avenue to Mountain Road (CR 634) - \$5.128 million (Somerset & Union Counties)*

The funding increase is also comprised of an additional \$4.079 million to make the overall program balance \$0, as well as additional \$10 million to cover any cost increases between the present time and the submission of the projects for authorization.

- **Route 206, Valley Road to Brown Avenue, Somerset County DBNUM 780A**
This request is to reprogram all NHPP funds (\$79 million) for construction to FFY 2026 due to project phase slippage and to program additional NHPP funds (\$8 million) for a revised total amount of \$87 million. The funds released from this action will be used to support the Pavement Preservation, NJTPA Program.
- **Route 71, Bridge over NJ TRANSIT (NJCL), Monmouth County DBNUM 15449**
This request is to convert all funds for design (\$3 million), right-of-way (\$1 million), and construction (\$27 million) into Bridge Formula Program (BFP) funds and to reprogram BFP funds for design to FFY 2024; for right-of-way to FFY 2025; and for construction to FFY 2026 due to project phase slippage. This action also programs additional BFP funds for right-of-way (\$1 million, increasing the total to \$2 million), and for construction (\$1 million, increasing the total to \$28 million). The funds released from this action will be used to support the Pavement Preservation, NJTPA Program.

Justification for Action: Approval of these revisions to the FY 2022 – 2025 TIP will allow the funds to be secured and the referenced projects to advance.

Staff Recommendation: Central Staff recommends approval of this action.

NJTPA

Transportation Improvement Program Fiscal Years 2022 - 2025

Routes: /

Mileposts: N/A

DBNUM: X51B

Name: Pavement Preservation, NJTPA

This program will allow NJDOT to accomplish eligible federal pavement preservation activities, in the NJTPA region, on New Jersey's Interstate highway system and will also allow for pavement preservation on all other state-maintained roads, which help to keep New Jersey's highway system in a state of good repair. With timely preservation, the NJDOT can provide the traveling public with improved safety and mobility, reduced congestion and smoother, longer lasting pavements.

Counties: Various

Municipalities: Various

Project Type: Road Preservation

RCIS Category: Road Preservation

Sponsor: NJDOT

Est. Total Project Cost: (Million) \$430.216

TIP:

CURRENT

FY 2022 - 2025 TIP Cost: (Million) \$200.036

Unconstrained Information Year

MPO	PHASE	SOURCE	2022	2023	2024	2025	2026-2031
NJTPA	EC	CRRSAA-FLEX		\$6.130			
NJTPA	EC	HWYINF	\$11.593	\$6.808			
NJTPA	EC	NHPP	\$33.746	\$64.621	\$18.067	\$20.000	\$120.000
NJTPA	EC	STBGP-FLEX	\$2.000	\$1.705	\$1.807	\$2.000	\$12.000
NJTPA	EC	STBGP-L5K	\$4.968				
NJTPA	EC	STBGP-NY/NWK	\$26.591				
			\$78.898	\$79.264	\$19.874	\$22.000	\$132.000

PENDING

FY 2022 - 2025 TIP Cost: (Million) \$298.216

Unconstrained Information Year

MPO	PHASE	SOURCE	2022	2023	2024	2025	2026-2031
NJTPA	EC	CRRSAA-FLEX		\$6.130			
NJTPA	EC	HWYINF	\$11.593	\$6.808			
NJTPA	EC	NHPP	\$33.746	\$162.801	\$18.067	\$20.000	\$120.000
NJTPA	EC	STBGP-FLEX	\$2.000	\$1.705	\$1.807	\$2.000	\$12.000
NJTPA	EC	STBGP-L5K	\$4.968				
NJTPA	EC	STBGP-NY/NWK	\$26.591				
			\$78.898	\$177.444	\$19.874	\$22.000	\$132.000



State of New Jersey

DEPARTMENT OF TRANSPORTATION
1035 Parkway Avenue
PO Box 600
Trenton, New Jersey 08625-0600

MPO: NJTPA

PROJECT: Pavement Preservation, NJTPA

DBNUM: X51B

TRACK #: N-X51B-12-M-2022

TYPE OF PROJECT CHANGE: Project Cost increase

ACTION TAKEN: Increases NHPP funding for EC in FFY 23 from \$64.621M by \$98.180M to \$162.801M.
Increases program balance from -\$4.079M by \$98.180M to \$94.101M
Increases overall program amount from \$79.264M by \$98.180M to \$177.444M

REASON FOR CHANGE:

In anticipation of 11 additional FFY 23 Pavement Preservation authorizations in the NJTPA region:

Route 22 EB, Route 78 to Route 28 (Eastern Turnpike) - \$6.5M (Hunterdon, Somerset) Rt 206, Morris & Sussex Turnpike to Price Rd / Decker Rd - \$5.630M (Sussex) Rt 287, Rt 80 to Rt 202 - \$8.798M (Morris) Rt 57, Route 22 to Route 31 - \$4.223M (Warren) Rt 202, CR 512 (Liberty Corner Rd) to MacCulloch Ave - \$4.685M (Somerset, Morris) Rt 9, Rt 195 to Plaza Court - \$16.178M (Monmouth) Rt 35, Brookwood Drive to Riverdale Drive - \$12M (Monmouth) Route 71, Cedar Avenue to Route 35 - \$4.099M (Monmouth) Route 1, International Way to Raymond Blvd - \$9.2M (Essex) Rt 31, Rt 202 to Rt 78/Rt 22 - \$7.660M (Hunterdon) Rt 22, Wilson Ave to Mountain Rd (CR 634) - \$5.128M (Somerset, Union)

Total amount of anticipated FY 23 PP authorizations: \$84.101

The \$98.101M increase is comprised of an increase of \$4.079M to make the overall program balance \$0, an increase of \$84.101M to cover the estimated costs of the anticipated projects, and an extra increase of \$10M in order to cover any cost increases between now and the submission of the projects for authorization.

MPO ACTION REQUIRED: Action requires MPO board approval

FISCAL CONSTRAINT:

Comments: See NJTPA FY 22-31 Chart 84

CONFORMITY:

PUBLIC INVOLVEMENT:

Attachment H.4.

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2022 – 2025
TRANSPORTATION IMPROVEMENT PROGRAM TO
ADD THE PAVEMENT PRESERVATION, STATEWIDE
PROGRAM AS REQUESTED BY THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION**

WHEREAS, the North Jersey Transportation Planning Authority (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2022 – 2025 Transportation Improvement Program (TIP) on September 13, 2021; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when a project or program that uses federal funds is added to the TIP and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, the NJDOT has requested the addition of the Pavement Preservation Program (DB# X51) to the FY 2022 – 2025 TIP; and

WHEREAS, fiscal constraint is maintained because funds are available for this program; and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to these actions; and

WHEREAS, the FY 2022 – 2025 TIP conforms to the performance-based planning requirements of the Infrastructure Investment and Jobs Act and its predecessor legislation; and

WHEREAS, the NJTPA has provided opportunities for public review of these actions consistent with NJTPA public participation procedures; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until 10 days (Saturdays, Sundays and public holidays excepted) after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of

the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2022 – 2025 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Summary of Action

Minor Amendment to the FY 2022 – 2025 Transportation Improvement Program to Add the Pavement Preservation, Statewide Program as Requested by the New Jersey Department of Transportation

Action: Approval of a request from the New Jersey Department of Transportation (NJDOT) to amend the FY 2022 – 2025 Transportation Improvement Program (TIP) by adding the Pavement Preservation, statewide program to advance a project located in the NJTPA region.

Background: According to the TIP Memorandum of Understanding (MOU), when a project or program that uses federal funds is added to the TIP and a new air quality conformity determination is not required, this constitutes a minor amendment, and action is required by the NJTPA Project Prioritization Committee and the Board of Trustees. The following TIP revision falls within the MOU guidelines to be approved as a minor amendment.

The NJDOT's Pavement Preservation program has traditionally only included funding for projects in the DVRPC and SJTPO regions. A separate program line has been used for pavement preservation projects in the NJTPA region (DBNUM X51B). NJDOT is requesting that the Pavement Preservation program line be added to the NJTPA TIP and federal funds be programmed for statewide projects, which will allow them to advance a project located in both the DVRPC and NJTPA region (Route 31, Brandon Road to Route 202 in Mercer and Hunterdon Counties).

The revision has been reviewed by Capital Programming staff. Fiscal constraint is maintained for this change, through funds available from prior year unobligated balances. This program is exempt from an air quality conformity determination and does not impact the current conformity determination. Additional program and funding information are provided in the attached documents.

Minor Amendment:

- **Pavement Preservation DBNUM X51**

The New Jersey Department of Transportation has requested that this program be added to the NJTPA TIP. The new line item will be programmed for statewide projects as follows: \$4.015 million in Coronavirus Response and Relief Supplemental Appropriations Act Flexible (CRRSAA-FLEX) funds for Engineering, Right-of-Way, and Construction (ERC) in Federal Fiscal Year (FFY) 2023; \$3.120 million in National Highway Performance Program (NHPP) funds for ERC in FFY 2022; and \$5.460 million in NHPP funds for ERC in FFY 2023.

Justification for Action: Approval of this revision to the FY 2022 – 2025 TIP will allow the funds to be secured and the referenced program and project to advance.

Staff Recommendation: Central Staff recommends approval of this action.

PENDING ACTION

NJTPA

Transportation Improvement Program Fiscal Years 2022 - 2025

Routes:

Mileposts: N/A

DBNUM: X51

Name: Pavement Preservation

This program will allow NJDOT to accomplish eligible federal pavement preservation activities on New Jersey's Interstate highway system and will also allow for pavement preservation on all other state-maintained roads, which help to keep New Jersey's highway system in a state of good repair. With timely preservation, the NJDOT can provide the traveling public with improved safety and mobility, reduced congestion and smoother, longer lasting pavements.

Counties: Various

Municipalities: Various

RCIS Category: Road Preservation

Sponsor: NJDOT

Est. Total Project Cost: (Million) \$12.595

TIP:

PENDING

FY 2022 - 2025 TIP Cost: (Million) \$12.595

**Unconstrained
Information Year**

MPO	PHASE	SOURCE	2022	2023	2024	2025	2026-2031
Statewide	ERC	CRRSAA-FLEX		\$4.015			
Statewide	ERC	NHPP	\$3.120	\$5.460			
			\$3.120	\$9.475			

DATE SUBMITTED:



State of New Jersey

DEPARTMENT OF TRANSPORTATION
1035 Parkway Avenue
PO Box 600
Trenton, New Jersey 08625-0600

MPO: Statewide

PROJECT: Pavement Preservation

DBNUM: X51

TRACK #: SW-X51-17-M-2022

TYPE OF PROJECT CHANGE: Project Cost increase, Change of funding source

ACTION TAKEN: In DVRPC, increases STBGP-FLEX funding for ERC in FFY 23 from \$1.705M by \$39.457M to \$41.162M.
Increases current DVRPC balance from -\$1.732M by \$39.457M to \$37.725M.
In SJTPO, increases STBGP-FLEX funding for ERC in FFY 23 from \$0M by \$10.860M to \$10.860M.
Increases current SJTPO balance from -\$0.002M by \$10.860M to \$10.858M.
In STATEWIDE, changes \$.286M of CRRSAA-FLEX funding for ERC in FFY 23 to NHPP.
In STATEWIDE, increases NHPP funding for ERC in FFY 23 from \$.286M by \$5.174M to \$5.460M
Increases current STATEWIDE balance from \$.286M by \$5.174M to \$5.460M.

REASON FOR CHANGE:

In anticipation of additional FFY 23 Pavement Preservation authorizations:

In DVRPC: increases balance to \$12.694M in anticipation of 4 projects, Route 70, Route 206 NB to Washington Blvd / Forest Road - \$4.290M (Burlington), Rt 130, Rt30/White Horse Pike (CR606) to Highland Ave (CR 60) - \$8.404M (Camden & Burlington), Route 55, Whig Lane (CR 619) to Route 42 - \$9.3320M (Gloucester), Rt. 295, Repaupo Road (CR 684) to Route 45 - \$15.711M (Gloucester)

In SJTPO: increases balance to \$10.858M in anticipation of 2 projects, Rt 40, NJ Turnpike to E Quillytown Rd - \$4.089M (Salem) and Rt 47, W Rio Grande Blvd to Hawthorne Ave - \$6.769M (Cape May)

In STATEWIDE (NJTPA & DVRPC): increases balance to \$5.460M in anticipation of 1 project, Rt 31, Brandon Rd to Rt 202 - \$5.460M (Hunterdon & Mercer)

MPO ACTION REQUIRED: Committee

FISCAL CONSTRAINT:

Comments: See DVRPC FY 22-31 Chart 33
See SJTPO FY 22-31 Chart 24
See STATEWIDE FY 22-31 Chart 35

CONFORMITY:

PUBLIC INVOLVEMENT:

