

**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY
WEDNESDAY, JUNE 4, 2008**

Chairman Kolluri called the Authority into session in the Conference Room of the Authority's Traffic Management Center, Woodbridge, New Jersey, at 10:35 A.M.

PRESENT

Chairman Kris Kolluri; Commissioner Michael DuPont; Commissioner Harold Hodes; Commissioner Raymond Pocino; Commissioner Clive Cummis; and (participating via telephone) Commissioner David Evans.

Executive Director Michael Lapolla; Deputy Executive Director/Secretary Diane Scaccetti; Chief Engineer Richard Raczynski; Finance Director Benjamin Hayllar; Human Resources Director Mary Elizabeth Garrity; Law Director George Caceres; Deputy Law Director Kenneth Rotter; Acting Maintenance Director Ralph Bruzzichesi; Operations Director Sean Hill; Purchasing Director Andrea Ward; Tolls Director Robert Quirk; Communications Director Joseph Orlando; New Jersey State Police Troop E Deputy Commander, Captain Kevin Burke; State Police Troop D Deputy Commander Stephen Wolcott; and Assistant Secretary Rose Stanko.

Also present were: General Counsel John Kelly, Wilentz Goldman & Spitzer; Co-General Counsel Judy Verrone, DeCotiis, Fitzpatrick, Cole & Wisler LLP; General Consultant James Beattie, HNTB Corp.; Patricia Snyder, NJDOT Policy and Authorities Coordination; Sonia Frontera, Governor's Authorities Unit; various individuals consisting of other NJTA employees, interested organizations and general public; and from the media: Larry Higgs, Asbury Park Press; Tom Feeney, The Star Ledger; and Zack Fink, from New Jersey News (NJN).

NOTICE OF MEETING

This is the rescheduled meeting of the New Jersey Turnpike Authority. Adequate notice of this meeting has been provided in accordance with Chapter 231, P.L. 1975 in that notice has been given to two newspapers and notice has been forwarded to the Secretary of State, Trenton, New Jersey. In addition, notice of said meeting has been and is being displayed in the main lobby of the Authority's Administration Headquarters in Woodbridge.

APPROVAL OF MINUTES

The Secretary reported that ten days (excluding Saturdays, Sundays and holidays) have elapsed since Governor Jon S. Corzine received the proceedings of the April 8th special meeting and the April 16th rescheduled meeting; he has not exercised his power to veto any items in those minutes.

Upon motion made by Commissioner Hodes, seconded by Commissioner Pocino, the minutes of the meetings of April 8 and April 16, 2008 were unanimously approved.

RECUSALS

The Secretary reported that advisements of recusal have been submitted regarding agenda items: 116-08 for Commissioner DuPont; 119C-08 and 121M-08 for Commissioner Hodes; and 107-08, 108-08, 110-08 through 112-08, 114-08 and 119A-08 through 120B-08 for

Commissioner Pocino. She then asked for any further recusals or abstentions to be placed on record for this meeting. There was no response.

ooo0ooo

At this juncture, Chairman Kolluri advised that a separate Executive Session was not required for those items and opened the floor for comment pertaining to the public items being presented for Board approval. There was no response.

The Members of the Authority then moved on the following agenda matters:

HUMAN RESOURCES

08-100

Human Resources Director Garrity submitted the **Personnel Agenda**, dated June 2008, and requested confirmation of the personnel matters contained therein, as amended.

The Executive Director certified the recommendations for consideration.

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

LAW

Law Director Caceres requested approval of item numbers 101-08 through 105-08; moved as a group, those items are as follows:

101-08

In the memorandum dated May 8, 2008, concerning the recommendation for **Settlement in the Formal Workers' Compensation Matter of Ernie Koye v. New Jersey Turnpike Authority**, Account No. 10-870-405070.

Ernie Koye, 62 years old, retired under a Service Retirement on July 1, 2007, after nearly 20 years of employment with the Authority as a Toll Collector. This proposed settlement arises out of a slip and fall injury on 1/22/2002 and consolidates five open claim petitions filed for orthopedic and neurological injuries to his back, neck and hips.

The petitioner is represented by the law firm of Prieto & Cohen. The Authority is defended by Special Counsel Michele Haas of Hoagland, Longo, Moran, Dunst & Doukas. The matter is venued in the district office of New Brunswick before Judge Virginia Dietrich.

Mr. Koye's injuries consist of numerous sprains/strains and multiple herniations of the cervical and lumbar spine. He underwent physical therapy, a lumbar rhizotomy and facet injections spanning several years. Petitioner's attorney made an excessive settlement demand of 42.5% partial total, or \$97,655.00. Special Counsel notes that there are two ways to approach this type of settlement involving more than one claim petition – stack each settlement on top of

the prior, while receiving credit for that prior (this increases the cost drastically), or simply settle all five under one mutually acceptable percentage of disability that encompasses all the injuries. Fortunately in this case the latter method was favored by the judge, which yields a much more favorable settlement for the Authority.

The judge placed a value on settlement of all five claim petitions at 33 1/3% partial total disability (\$59,600.00). After application of the credit for the previous settlement of 12.5% partial total (\$12,750.00), the net award is \$46,850.00. Given the favorable nature of the settlement computation, combined with the judge's recommendation on the record, we cannot hope for a better outcome if tried.

The Law Department has reviewed this matter and agrees with the recommendation of the Authority's Special Counsel, third party workers' compensation administrator and the Assistant Director, Human Resources, Safety & Benefits. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$46,850.00.

102-08

In the memorandum dated April 22, 2008, concerning the recommendation for **Settlement in the Formal Workers' Compensation Matter of Connie Reiter v. New Jersey Turnpike Authority**, Account No. 10-870-405070.

Connie Reiter, 44 years old, retired under an Accidental Disability Retirement on March 1, 2004, after nearly 20 years of employment with the Authority as a Toll Collector. This proposed settlement is as a result of a claim petition filed for injuries sustained on September 11, 2001 when she was struck by a truck at Great Egg Toll Plaza.

The petitioner is represented by the law firm of Petro, Cohen, Petro & Matarazzo. The Authority is defended by Special Counsel Ian G. Zolty of Capehart & Scatchard. The matter is venued in the district office of Atlantic City before Judge Cosmo Giovinazzi

Ms. Reiter's injuries and subsequent treatment were significant for extensive cervical surgery, left shoulder pathology and post-traumatic stress disorder with psychiatric complications. Ms. Reiter, unable to return to work other than in a light duty capacity, filed for an Accidental Disability Retirement, which was granted solely for the injuries sustained on September 11, 2001. Based upon New Jersey's Public Employees' Retirement System's (PERS) decision to accept the Accidental Disability retirement, and due to the extent of treatment and medical consequences, Judge Giovinazzi opined that petitioner was permanently and totally disabled. The Second Injury Fund was petitioned in an effort to apportion the 100% disability between the Authority and the Fund. Special Counsel hoped to establish that there were compelling pre-existing medical factors sufficient to warrant Fund participation. Despite lengthy testimony at trial pursuing these issues, the Deputy Attorney General for the Fund took the position that all of Ms. Reiter's disabilities were attributable to the September 11, 2001 incident and refused to participate. Judge Giovinazzi concurred.

Under the New Jersey Workers' Compensation Statute, a finding of 100% disability entitles the petitioner to 450 weeks of compensation at the 2001 maximum rate of \$591.00 per week, or \$265,950.00. The Authority's risk is significantly mitigated, however, by its statutory lien against Ms. Reiter's third party recovery of \$550,000.00 from the trucking company involved in the incident. Specifically, the Authority is entitled to recover 2/3 of all statutory expenses paid, including this settlement, thereby reducing the Authority's share of the permanency award (the first 450 weeks) to \$88,650.00. Prior case law stipulates that this amount must be paid out in one lump sum at the time of settlement. Over the course of the subsequent 450 weeks, Petitioner would be entitled to her Accidental Disability Pension only. Beginning with the 451st week, the Authority would commence payments of permanency *directly to PERS for the balance of Ms. Reiter's lifetime*, as PERS is entitled to the offset when an Accidental Disability is granted for a work related injury.

The Authority will also be responsible for providing all causally related medical treatment with regard to cervical, left shoulder and psychiatric diagnoses. All payments made by the Authority, either for permanency or authorized medical treatment, will be reduced by 2/3 until the Authority has recovered the full measure of its third party lien. Moreover, the Authority's total risk is capped at \$300,000.00, at which point the excess workers' compensation policy shall kick in to reimburse the Authority dollar for dollar for all statutory expenses paid thereafter. In this it should be noted that, after disbursement of this settlement, the total amount of statutory expenses paid to date shall be \$228,787.76, leaving a total potential additional exposure of \$71,212.24. Given the judge's finding, on the record, the Authority is left with no other options.

The Law Department has reviewed this matter and agrees with the recommendation of the Authority's Special Counsel, third party workers' compensation administrator and Assistant Director Human Resources, Safety & Benefits. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the initial sum of \$88,650.00, with potential for additional payments commencing 451 weeks after this settlement, as described herein.

103-08

In the memorandum dated May 16, 2008, concerning the recommendation to **Declare Certain Garden State Parkway Right-Of-Way Property as Surplus, Add to Certified List of Surplus Properties Pursuant to the New Jersey Turnpike Authority Surplus Property Disposition Policy; and Convey the Property to the Township of Aberdeen.**

Portion of Authority's Right-of-Way along the West Side of Gerard Avenue – Parkway Section 7: Parcel Nos. 4558, D4558, 4559, 4560, 4516 and 4562, Aberdeen Township, Monmouth County.

Pursuant to the New Jersey Turnpike Authority's Surplus Property Disposition Policy which was adopted at the June 25, 1996 Commissioner's Meeting, the Law Department, in coordination with the Chief Engineer, Director of Maintenance, Director of Operations and the Authority's General Consultant, HNTB, has developed a master list of properties which are not

needed for any current or future use in the construction, maintenance, repair or operation of a Turnpike project and have been declared Surplus Property by the Authority's Commissioners.

The Chief Engineer, Director of Maintenance, Director of Operations and the Authority's General Consultant have each certified that Section 7, Parcel Nos. 4558 (0.686 acres), D4558 (0.015 acres), 4559 (0.090 acres), 4560 (0.162 acres), 4561 (0.321 acres) & 4562 (0.322 acres) which are part of the Garden State Parkway Right-of-Way located along the West side of Gerard Avenue in the Township of Aberdeen, Monmouth County, New Jersey, has no current or future use or value in connection with Turnpike/Parkway construction and/or operations. The Law Department requests authorization to have this property formally declared as surplus.

Accordingly, it is recommended that the Authority's Commissioners authorize the property, as shown in Exhibit I, be declared surplus under the Surplus Property Disposition Policy and that the procedures established in that Policy be implemented to dispose of this property no longer needed or intended for future Turnpike Authority use. Furthermore, it is the intent of the Authority to convey the property to the Township of Aberdeen for the purpose of a municipal road improvement project.

EXHIBIT 1

- o Parkway Section 7: Parcel Nos. 4558 (0.686 acres); D4558 (0.015 acres); 4559 (0.090 acres); 4560 (0.162 acres); 4561 (0.321 acres); and 4562 (0.322 acres), which are part of the Authority's Right-of-Way located along the West side of Gerard Avenue in the Township of Aberdeen, Monmouth County, New Jersey
- o Properties are irregular in shape.
- o Aggregate encompasses approximately 1.6 acres in total area
- o No structures are located on the property
- o It is the intent of the Authority to convey the property to the Township of Aberdeen for the purpose of a municipal road improvement project.

104-08

In the memorandum dated May 20, 2008, concerning the recommendation to **Declare Certain Portions of Turnpike Right-of-Way Property as Surplus and Add to Certified List of Surplus Properties Pursuant to the New Jersey Turnpike Authority Surplus Property Disposition Policy.**

Portion of Authority's Right-of-Way, along US Route 1, Monmouth Junction – Route 92 Turnpike Section 3: Parcel No. 92-330C (a/k/a NJDOT Parcel No. VX43); Block 98; Lot 2.02 (7.00 acres); Parcel No. 92-330B (a/k/a NJDOT Parcel no. VX38A); Block 98; Lot 38.01 (0.096 acres); and Parcel No. 92-330A (a/k/a NJDOT Parcel No. VX38B); Block 98; Lot 38.02 (1.185 acres), Township of South Brunswick, Middlesex County.

Pursuant to the New Jersey Turnpike Authority's Surplus Property Disposition Policy which was adopted at the June 25, 1996 Commissioner's Meeting, the Law Department, in

coordination with the Chief Engineer, Director of Maintenance, Director of Operations and the Authority's General Consultant, HNTB, has developed a master list of properties which are not needed for any current or future use in the construction, maintenance, repair or operation of a Turnpike project and have been declared Surplus Property by the Authority's Commissioners.

The Chief Engineer, Director of Maintenance, Director of Operations and the Authority's General Consultant have each certified that Parcel No. 92-330C – Block 98, Lot 2.02 (7.00 acres), Parcel No. 92-330B – Block 98, Lot 38.01 (0.096 acres), and Parcel No. 92-330A – Block 98, Lot 38.02 (1.185 acres) which are part of the U.S. Route 1 Right-of-Way originally acquired by the Authority in anticipation of the Route 92 Project, have no current or future use or value in connection with Turnpike/Parkway construction and/or operations. The Law Department requests authorization to have these properties formally declared as surplus.

Accordingly, it is recommended that the Authority's Commissioners authorize the property, as shown in Exhibit I, be declared surplus under the Surplus Property Disposition Policy and that the procedures established in that Policy be implemented to dispose of this property no longer needed or intended for future Turnpike Authority use.

EXHIBIT 1

- o Route 92 Turnpike Section 3: Parcel No. 92-330C (a/k/a NJDOT Parcel No. VX43) – Block 98, Lot 2.02 (7.00 acres); Parcel No. 92-330B (a/k/a NJDOT Parcel no. VX38A) – Block 98, Lot 38.01 (0.096 acres); and Parcel No. 92-330A (a/k/a NJDOT Parcel No. VX38B) – Block 98, Lot 38.02 (1.185 acres), which are part of the U.S. Route 1 Right-of-Way originally acquired by the Authority in anticipation of the Route 92 Project and are located in South Brunswick Township, Middlesex County.
- o Properties are irregular in shape. The largest parcel, 92-330C is approximately 7.0 acres, is five-sided, and resembles a pentagon.
- o Aggregate encompasses approximately 8.28 acres in total area
- o A 30,000 sq. ft. structure is currently located on Parcel No. 92-330C which is currently leased on a month-to-month basis to the Boys Scouts of America.

105-08

In the memorandum dated May 27, 2008, concerning authorization to **Enter into Memorandum of Agreement (MOA) with the Township of Holmdel to Resolve All Outstanding Issues with Respect to Real Estate Taxes Due and Owing on the Robert Meyner Reception Center.**

Block 27.01; Lot 10, Township of Holmdel, Monmouth County.

In 1997, the Township of Holmdel ("Township") filed a Complaint for Declaratory Judgment seeking to confirm the right of the Township to assess and impose real property taxes for the 1996 and 1997 tax years upon the Authority for components of the Arts Center Complex.

Ultimately, the Authority filed a motion for leave to appeal in the Supreme Court of New Jersey. The Supreme Court heard argument and issued its decision in which it determined that the amphitheater’s current operations further the Arts Centers original purpose and therefore would remain tax exempt. However, the Court further ruled that the Robert B. Meyner Reception Center (the “Meyner Center”) was a dramatic, unanticipated departure from the Authority’s statutory mandate and, accordingly, is subject to taxation. The Court remanded the matter to the Tax Court for a tax assessment of the Meyner Center.

Since that time the Authority has been in negotiations with the Township in an attempt to reach an agreed upon fair market value for the Meyner Center for tax years 1996 through 2008. A spreadsheet copy of the proposed settlement is exhibited hereto and sets forth the Revised Assessments for each tax year based on the agreed upon fair market values and finally, the taxes due based on the Revised Assessments. The property tax liability due through year end 2008 predicated on this settlement would total approximately \$857,500, a portion of which has already been paid to the Township. The crucial and most compelling element of the settlement proposal is that the Township has agreed to waive the five (5%) percent statutory interest to which it is entitled.

Proposed Settlement					
Block 27.01, Lot 10, Qual X (CXI for 2007)					
Tax Year	Ratio	Settlement Fair Market Value	Revised Assmt. As per Settlement	Tax Rate	Taxes Due
1996	91.75%	\$2,559,600	\$2,348,400	0.02116	\$49,692.14
1997	89.33%	\$2,694,316	\$2,406,800	0.02020	\$48,617.36
1998	91.18%	\$2,836,122	\$2,586,000	0.02360	\$61,029.60
1999	85.89%	\$2,985,391	\$2,564,200	0.02468	\$63,284.46
2000	81.47%	\$3,400,000	\$2,770,000	0.02552	\$70,690.40
2001	77.00%	\$3,400,000	\$2,618,000	0.02642	\$69,167.56
2002	70.60%	\$3,482,014	\$2,458,300	0.02816	\$69,225.73
2003	65.09%	\$3,665,278	\$2,385,700	0.02961	\$70,640.58
2004	58.51%	\$3,858,187	\$2,257,400	0.03152	\$71,153.25
2005	55.03%	\$4,061,250	\$2,234,900	0.03238	\$72,366.06
2006	50.75%	\$4,275,000	\$2,169,600	0.03300	\$71,596.80
2007	100%	\$4,500,000	\$4,500,000	0.01518	\$68,310.00
2008	100%	\$4,725,000	\$4,725,000	0.01518	\$71,725.50
					\$857,499.44

Therefore, it is requested that the New Jersey Turnpike Authority’s Board of Commissioners authorize and direct the Executive Director, along with the advice and consent of the Director of Law and the General Counsel, to execute any and all documents necessary to effectuate the settlement as set forth above.

Reviewed by the Human Resources Director where applicable; available funds certified by the Finance Director as applicable; the Executive Director certified the recommendations for consideration.

On motion by Commissioner Hodes, seconded by Commissioner Evans, the Authority unanimously approved the five (5) item law agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

ooo0ooo

The following matters were identified in the Public Session agenda:

ooo0ooo

ENGINEERING

Chief Engineer Raczynski began by noting the recorded recusals, explained that the unusual situation affecting item 119C-08 would create an unacceptable condition and requested approval of engineering items 106-08 through 119D-08.

Deputy Executive Director Scaccetti acknowledged that with the Authority's current six-member Board of Commissioners, item 119C-08 would effectively be deferred indefinitely and said that the ethics compliance issue has been reviewed.

General Counsel Kelly confirmed a previously submitted Opinion and invoked the "rule of necessity". Since, under the circumstances, authorization cannot be interminably deferred for payment due for work completed, he opined that, to complete the needed quorum, a vote by Commissioner Pocino would be permitted.

The Engineering items are as follows:

106-08

In his memorandum dated May 13, 2008, concerning a recommendation for the **Executive Director to Enter into Supplemental Agreement No. 2 with Ocean County for Reimbursement of Post-Design Consulting Engineering Services in Connection with the GSP Interchange 67 Improvement Project**, Parkway Interchange 67 Improvement Project, Construction Fund No. 06560033.

An original Agreement was authorized by the former New Jersey Highway Authority (NJHA) at its January 22, 2001 Commission Meeting to provide a basis for a cost-sharing with Ocean County for improvements to be located at Parkway Interchange 67 in Barnegat Township. Pursuant to this Agreement, Ocean County was to prepare all design documents and obtain all required permits for the construction of a northbound entrance ramp and southbound entrance ramp. The NJHA would pay for and acquire all necessary right-of-way and reimburse the County for preliminary and final design of the interchange. Construction of the improvements would be the responsibility of the NJHA subject to available funding.

After merger of the NJHA into the New Jersey Turnpike Authority (the "Authority") a Supplemental Agreement, dated March 7, 2007 and authorized at the April 7, 2007 Commission Meeting, provided for Ocean County and the Authority to separately and independently finance and bid their respective construction responsibilities of the Interchange 67 Improvement Project. Pursuant to this first Supplemental Agreement, the County would pay for and construct improvements to West

Bay Avenue and the Authority would pay for and construct the bridges carrying West Bay Avenue over the Parkway and new ramps, and other improvements as outlined in the original Agreement.

Supplemental Agreement No. 2, now before the Commissioners for authorization, would reimburse the County for design consulting engineering services required during the construction phase, including shop drawing review, attendance at field meetings, responses to requests for information and other design related services required during construction. In addition, this second Supplemental Agreement would provide for reimbursement to the County for bridge recordation, which includes detailed photographic documentation of the existing bridge structure as required by the State Historic Preservation Office. Reimbursement for these services is consistent with the original Agreement, which required the former NJHA to reimburse the County for design of improvements at Interchange 67.

Based on the foregoing, it is recommended that authorization be granted to the Authority's Executive Director to enter into Supplemental Agreement No. 2 in an amount not to exceed \$200,000, that substantially conforms to the terms set forth above, after review and approval of the final documents by the Law Department and Co-General Counsel, DeCotiis FitzPatrick Cole & Wisler, L.L.P. The addition of this amount increases the total authorized not-to-exceed amount from \$1,350,000 to \$1,550,000.

ooo0ooo

107-08

In his memorandum dated April 21, 2008, concerning the **Ratification of Contract No. T900.093 – A.P. Construction Inc.** – DATIM Enclosures and Toll Island Modifications, Turnpike Interchanges 2, 3, 4, 14A and 14B, Gloucester, Camden, Burlington, and Hudson Counties, Construction Fund No. 06510062.

At the Commission Meeting of November 9, 2007, the Executive Director was delegated authority to award two construction contracts for Dual-Height Automatic Ticket Issuing Machines (DATIM) toll booth modifications.

This is the second contract which includes the installation of DATIM enclosures and modification of seven existing toll islands for DATIM installation. The work includes installation of DATIM enclosures, fabricated by others; related toll equipment; island modifications; conduit; and electrical wiring at Turnpike Interchanges 2, 3, 4, 14A, and 14B. Additional modifications to existing booths at Interchange 14B are also included.

Three proposals were received on March 27, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$1,155,100 may be compared to the second low bid proposal in the amount of \$1,168,500. The low bidder, A.P. Construction, Inc., has not previously performed similar work for the Authority but is considered competent to complete this contract.

It is, therefore, recommended that the award of Contract No. T900.093 be ratified to the low bidder, A.P. Construction, Inc. of Blackwood, New Jersey, in the amount of \$1,155,100. Bids

for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

ooo0ooo

108-08

In his memorandum dated May 8, 2008, concerning the recommendation to **Award Contract No. P100.074 – Agate Construction Co. Inc.** – Southern Bridge Deck Repairs and Resurfacing, Parkway Milepost 0 to 113, Maintenance Reserve Fund No. 03020001.

This contract will provide for the annual bridge deck repairs for the southern sector of the Garden State Parkway between Milepost 0 and 113. In general, the work involves the replacement of deteriorated sections of concrete bridge decks, joints and bridge surfacing on 8 mainline structures.

Four bid proposals were received on May 6, 2008 for the above publicly advertised contract. The low bid, in the amount of \$2,656,514.75 may be compared to the Engineer's Estimate in the amount of \$3,392,887.50. The low bidder, Agate Construction, has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P100.074 be awarded to the low bidder, Agate Construction Co., Inc. of Clermont, New Jersey, in the amount of \$2,656,514.75, allocated as follows: \$1,800,000.00 in 2008 and \$856,514.75 in 2009. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

ooo0ooo

109-08

In his memorandum dated May 9, 2008, concerning the recommendation to **Issue Order for Professional Services No. P3157 – PB Americas Inc.** – Supervision of Construction Services for Contract No. P100.074, Southern Bridge Deck Repairs and Resurfacing, Parkway Milepost 0 to Milepost 113, Maintenance Reserve Fund No. 03020001.

This Order for Professional Services (OPS) provides construction supervision for the referenced contract. This contract will provide for the annual bridge deck repairs for the southern sector of the Garden State Parkway between Milepost 0 and 113. In general, the work involves the replacement of deteriorated sections of concrete bridge decks, joints and bridge surfacing on 8 mainline structures.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 50 engineering firms prequalified and eligible under Profile Code B157 – Bridges: Deck Repair/Replacement Inspection. Four firms submitted EOIs by the closing date of April 11, 2008.

Subsequent to the scoring of the Expressions of Interest, Fee Proposals were requested from the top three firms. They are, in the order of technical ranking: 1) PB Americas, Inc.; 2) Gannett Fleming, Inc.; and 3) Buchar Horn, Inc. The fee submitted by PB Americas, Inc. has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3157 be issued to the firm of PB Americas Inc. of Princeton, New Jersey in the maximum amount of \$661,000, allocated as follows: \$330,000 in 2008 and \$331,000 in 2009. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.25, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

ooo0ooo

110-08

In his memorandum dated May 15, 2008, concerning the recommendation to **Award Contract No. T100.087 – Highway Safety Systems Inc.** – Upgrade of Variable Message Sign Catwalks, Turnpike Milepost 32 to Milepost 119, 2008A Note Construction Fund No. 30000014.

This contract will provide upgrades to the catwalk railing system on eleven overhead span sign structures with variable message signs on the New Jersey Turnpike roadways between milepost 32 and milepost 119 for compliance with the current regulations of the Occupational Safety and Health Act.

Five proposals were received on April 29, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$364,000 may be compared to the Engineer's Estimate in the amount of \$312,620. The low bidder, Highway Safety Systems, has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T100.087 be awarded to the low bidder, Highway Safety Systems of Hammonton, New Jersey, in the amount of \$364,000. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

ooo0ooo

111-08

In his memorandum dated May 15, 2008, concerning the recommendation to **Award Contract No. T200.017 – J. Fletcher Creamer & Son Inc. and Joseph M. Sanzari, Inc., a Joint Venture** – Turnpike Interchange 16W / Route 3 Ramps Improvements, Borough of East Rutherford, Bergen County, 2008A Note Construction Fund No. 30000001.

To eliminate the existing weaving condition for vehicles entering and exiting the Turnpike's Interchange 16W from Route 3 Westbound, the Authority will construct three new structures outside the Toll Plaza; widen existing structures over Route 3 and the South Service Road; realign ramps and reconstruct all associated appurtenances in the Borough of East Rutherford, Bergen County, New Jersey.

Seven proposals were received on May 7, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$48,969,861.72, may be compared to the second low bid proposal in the amount of \$52,878,347.50. The low bidder, J. Fletcher Creamer & Son, Inc. and Joseph M. Sanzari, Inc., a Joint Venture, has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T200.017 be awarded to the low bidder, J. Fletcher Creamer & Son, Inc. and Joseph M. Sanzari, Inc., a Joint Venture of Hackensack, New Jersey, in the amount of \$48,969,861.72. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

ooo0ooo

112-08

In his memorandum dated May 5, 2008, concerning the recommendation to **Award Contract No. P200.021 – C. J. Hesse Inc.** – Widening of Mainline Roadway at Interchange 98, Parkway Milepost 96.96 to 99.44, 2004 Bond Issue Fund No. 07860003.

The work to be performed under this contract consists of widening of the Garden State Parkway through Interchange 98 in Monmouth County, including roadway widening, realignment and restriping to provide a continuous 4th-lane in both the northbound and southbound direction and to provide adequate acceleration and deceleration lanes for all ramps through the project limits. This construction contract is scheduled to be completed by July 31, 2009.

Nine proposals were received on May 2, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$6,170,944.50 may be compared to the second low bid proposal in the amount of \$6,457,091.25. The low bidder, C. J. Hesse, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.021 be awarded to the low bidder, C. J. Hesse, Inc. of Atlantic Highlands, New Jersey, in the amount of \$6,170,944.50. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

ooo0ooo

113-08

In his memorandum dated May 15, 2008, concerning the recommendation to **Issue Order for Professional Services No. P3099 – Boswell Engineering** – Supervision of Construction Services for Contract No. P200.021, Parkway Mainline Widening at Interchange 98, 2008A Note Construction Fund No. 30000005.

This Order for Professional Services (OPS) provides construction supervision for the referenced contract. The work to be performed under this contract consists of widening of the Garden State Parkway through Interchange 98 in Monmouth County, including roadway widening, realignment and restriping to provide a continuous 4th-lane in both the Northbound and Southbound direction and to provide adequate acceleration and deceleration lanes for all ramps through the project limits. This construction contract is scheduled to be completed by July 31, 2009.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 55 engineering firms prequalified and eligible under Profile Code B153: Roadway Construction Inspection. Ten firms submitted EOIs by the closing date of April 14, 2008.

Subsequent to the scoring of the Expressions of Interest, Fee Proposals were requested from the top three firms. They are, in the order of technical ranking: 1) Boswell Engineering; 2) Dewberry-Goodkind, Inc.; and 3) Buchart-Horn, Inc. The fee submitted by Boswell Engineering has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3099 be issued to the firm of Boswell Engineering of South Hackensack, New Jersey in the maximum amount of \$695,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.2, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

ooo0ooo

114-08

In his memorandum dated May 2, 2008, concerning the recommendation to **Award PKY/TPK Contract No. P300.041 – Kevco Electric Inc.** – Traffic Detection Stations, Parkway Mainline Toll Plazas, Parkway Milepost 19.25 to 160.60 and Turnpike Interchange 17, Supplemental Capital Fund No. 08017004.

The work to be performed under this contract includes the installation of in-pavement wireless traffic detection stations at twelve non-tolled locations along the entire length of the Garden State Parkway and at Interchange 17 of the New Jersey Turnpike. Additionally included in this contract is the installation of the operating system, roadside equipment cabinets, power and communication systems. This construction contract is scheduled to be completed by December 2008.

Three proposals were received on May 1, 2008 for the above publicly advertised contract. The low bid, in the amount of \$422,978.75 may be compared to the Engineer's Estimate in the amount of \$553,830.00. The low bidder, Kevco Electric, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P300.041 be awarded to the low bidder, Kevco Electric, Inc. of Bloomfield, New Jersey, in the amount of \$422,978.75. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

ooo0ooo

115-08

In his memorandum dated May 6, 2008, concerning the recommendation to **Issue Order for Professional Services No. P3176 – Churchill Consulting Engineers** – 2008 New Jersey Turnpike Authority Bridge Inspection Program, Inspection of Sixteen Garden State Parkway Microwave Towers, Parkway Milepost 13 to Milepost 166, Maintenance Reserve Fund No. 03020007.

This Order for Professional Services (OPS) provides for the inspection of the Authority's sixteen microwave towers on the Garden State Parkway. The engineering services will include tower inspections, and preparation of reports and the structural analysis of four towers and foundations.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 54 engineering firms prequalified and eligible under Profile Codes A130 – Communication Systems: Tel/Radio/Microwave/Fiber Optic or D280R – Bridges-NBIS Program, Routine. Eight firms submitted EOIs by the closing date of April 3, 2008.

Subsequent to the scoring of the Expressions of Interest, Fee Proposals were requested from the top three firms. They are, in the order of technical ranking: 1) Churchill Consulting Engineers; 2) French & Parrello Associates, P.A.; and 3) LS Engineering Associates Corporation. The fee submitted by Churchill Consulting Engineers has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3176 be issued to the firm of Churchill Consulting Engineers of Berlin, New Jersey in the maximum amount of \$178,000, allocated as follows: \$164,000 in 2008 and \$14,000 in 2009. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.45, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

ooo0ooo

116-08

In his memorandum dated May 9, 2008, concerning the recommendation to **Issue Supplement No. 6 to GSP Order for Professional Services No. 133-572D – T&M Associates** – Design Services, Permit and Program Management, Parkway Widening Milepost 30 to Milepost 80, 2005 Bond Issue Fund No. 20260001.

Order for Professional Services (OPS) No. 133-572D was issued at the February 1998 Highway Authority Commission Meeting, in the amount of \$2,223,182 to provide preliminary/concept design and initial permit investigation. Supplement Nos. 1 through 5, in the total amount of \$4,475,628, provided for: addition of Mullica River and Bass River bridges in the preliminary EIS and permitting; increased Pinelands requirements; subsurface investigation/soil borings; design program manager for the Milepost 63 to 80.8 segment; additional scope including: traffic secondary impacts, snake tunnel, relocation of osprey/owl nests, public access investigation, initial phase of oyster monitoring program; and additional work including: increased timeframe and meetings, stormwater management reviews and modifications, site investigation for mitigation due to permitting, increased U. S. Coast Guard requirements.

Supplement No. 6 will provide for an extensive soil test pit program required by the Pinelands Commission to address storm water management as part of the permit process, as well as additional traffic analysis concerning secondary impacts; revision to the potential wildlife tunnel requirements; preparation of Jurisdictional Determination Form/Plan for USACOE; and attendance at meetings due to the extension beyond 2007 due to Permit requirements.

The fee of \$1,521,566 submitted by T & M Associates for these additional services has been reviewed, negotiated and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that Supplement No. 6 to GSP OPS No. 133-572D be issued to T & M Associates in the amount of \$1,521,566 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$6,698,810 to \$8,220,376. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

0000000

117-08

In his memorandum dated May 13, 2008, concerning the recommendation to **Issue Supplement C to TPK Order for Professional Services No. 2048 – HNTB Corp.** – Design Services for Turnpike Interchange 12 Final Improvements, 2004 Bond Issue Fund No. 07810006.

TPK Order for Professional Services (OPS) No. 2048 was issued to HNTB Corporation at the July 2004 Commission Meeting in the amount of \$5,855,000 to provide for the design and preparation of TPK Contract No. R-1487, Interchange 12 Final Improvements. This contract will construct a new 14 lane toll plaza, utility building, approach roadways and ramps, and improvements to the local roadway system to alleviate severe traffic congestion on the local roadways. The scope of services for this OPS also included the acquisition of all required environmental and building permits, preparation of right-of-way documents, utility relocation documents, a geotechnical report and other ancillary items.

Supplements A and B, in the total amount of \$3,401,000, provided for additional design and environmental services to: double the size of the proposed Ramp WT/ET structure in order to span water quality and bio- retention basins that were increased in size to comply with the latest stormwater regulations; expand the toll plaza from 14 to 17 lanes; increase the size of the utility building; and the design of a wetlands mitigation site required by the New Jersey Department of Environmental Protection (NJDEP) and the US Army Corp of Engineers (USACOE) to offset losses from the construction of the Interchange.

Supplement C will compensate HNTB Corporation and their subconsultants to perform out-of-scope services related to post-design services, the completion of the wetlands mitigation site supervision and post construction monitoring and right-of-way acquisition services. The unanticipated additional effort has been encountered in coordinating with the Department of Community Affairs, utility companies, the construction management consultant, condemnation proceedings and the environmental permitting agencies. The out-of-scope services include the preparation of additional changes of plan, additional changes to utility orders, multiple clarifications and resubmissions to the Department of Community affairs, additional attendance at field coordination meetings, additional parcel map preparation and expert witness testimony due to more condemnations than anticipated, preparation of wetlands site contract plans and post construction monitoring services required by the NJDEP and USACOE permits.

HNTB Corporation has submitted a proposal for these additional services and, upon review and negotiation, the fee in the amount of \$1,650,000 is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that Supplemental TPK OPS No. 2048C be issued to HNTB Corporation in the amount of \$1,650,000 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$9,256,000 to \$10,906,000. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

ooo0ooo

118-08

In his memorandum dated May 6, 2008, concerning the recommendation to **Issue Supplement A to Order for Professional Services No. T3044 – Ammann & Whitney Consulting Engineers P.C.** – Supervision of Construction Services, for TPK Contract No. R-1493, Bridge Deck Reconstruction, Rancocas Creek Bridge, Turnpike Structure No. 40.96, 2004 Bond Issue Fund No. 07810005.

Order for Professional Services (OPS) No. T3044 was issued at the November 29, 2005 Commission Meeting in the amount of \$1,180,000 to provide supervision of construction services for Contract No. R-1493. This contract provides for bridge deck reconstruction, deck joint replacement and reconstruction, median barrier reconstruction, girder bearing replacement, and other related structural and approach roadway improvements on the Rancocas Creek Bridge, Turnpike Structure No. 40.96.

Supplement A will compensate Ammann & Whitney Consulting Engineers, P.C. for additional unanticipated professional services to provide construction inspection services required for the extended contract duration. The additional time required by the Contractor to construct scheduled improvements was in large part the result of delays caused by the bearing manufacturer's inability to fabricate the bearings in accordance with the contract requirements. This in turn extended the contract completion as the bearing installation was critical path work. The Contractor selected the bearing manufacturer from a list of pre-approved bearing suppliers identified by the Authority. Given the lack of performance and issues regarding this contract, the bearing manufacturer has since been removed from the Authority's approved list of bearing suppliers. The Authority is currently reviewing its options with regard to recovering the additional costs caused by these delays.

The fee of \$127,000 submitted by Ammann & Whitney Consulting Engineers, P.C. for these additional services has been reviewed, and is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that Supplemental OPS No. T3044A be issued to Ammann & Whitney Consulting Engineers, P.C. in the amount of \$127,000 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$1,180,000 to \$1,307,000. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

ooo0ooo

119A-08, 119B-08 and 119D-08

Respectively, the following recommendations are of **Contracts for Formal Acceptance**

and Final Payment:

<u>CONTRACT NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
<u>TPK Contract NCR-501</u>	<u>Conti Enterprises Inc.</u> New County Road Grade Separation Turnpike Roadway and Structures Hudson County Construction Fund No. 06510013	\$ 81,999.95
<u>GSP Contract No. 30-1279</u>	<u>Tilcon New York Inc.</u> Express E-Z Pass Improvements Parkway, Raritan Toll Plazas Borough of Sayreville, Middlesex County Construction Fund No. 06510025	\$335,373.05
<u>Contract No. P200.012</u>	<u>A. E. Stone Inc.</u> Pavement Restoration and Miscellaneous Improvements Parkway Mile 15.0 to Mile 28.8 Cape May County Maintenance Reserve Fund No. 03020005	\$ 75,000.00

Reviewed by the Law Director; available funds certified by the Finance Director; the Executive Director certified the recommendations for consideration.

On motion by Commissioner Hodes, seconded by Commissioner Evans, the Authority approved engineering items 106-08 through 118-08, 119A-08, 119B-08 and 119D-08; and ratified or authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

ooo0ooo

119C-08

The following recommendation is a **Contract for Formal Acceptance and Final**

Payment:

<u>CONTRACT NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
<u>GSP Contract No. 134-1249</u>	<u>George Harms Construction Co. Inc.</u> Interchange 69 Ramp Toll Improvements Parkway Milepost 69.9 to Milepost 70.7 Ocean Township, Ocean County Construction Fund No. 07860002	\$50,000.00

Reviewed by the Law Director; available funds certified by the Finance Director; the Executive Director certified the recommendation for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority approved engineering item 119C-08; and authorized, as presented, the recommendation contained therein; and received and filed the memorandum.

ooo0ooo

MAINTENANCE

120A-08 and 120B-08

Acting Maintenance Director Bruzzichesi presented the following recommendations of

Contracts for Formal Acceptance and Final Payment:

<u>CONTRACT NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
<u>TPK Contract No. R-1509-1</u>	<u>McMullen Roofing Inc.</u> Roof Replacement Southern Division Office and Vehicle Storage Buildings Turnpike MP 37.1 Northbound Burlington County Special Project Reserve Fund No. 04010003	\$22,094.95
<u>Contract No. T600.066-1</u>	<u>Daidone Electric Inc.</u> Installation of E-ZPass Speed Limit Signs Various Toll Plazas Turnpike Milepost 2.5 to Milepost 104.7 Salem, Gloucester, Camden, Burlington, Mercer, Middlesex, Union and Essex Counties Special Project Reserve Fund No. 04018026	\$10,094.45

On motion by Commissioner Hodes, seconded by Commissioner Pocino, the Authority unanimously approved the two (2) item maintenance agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

ooo0ooo

PURCHASING

Purchasing Director Ward distinguished general business item 122-08 as a professional services contract; identified the purchasing agenda items 121A-08 through 121O-08 as routine goods and services, and requested approval. Moved as a group, items 121A-08 through 122-08 are as follows:

121A-08 through 121I-08

Results of Bidding in response to public advertisement for the commodities requisitioned by various departments. Awards are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardees pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same. Bids for these items were procured and authorization is sought to award contracts to the lowest responsible bidders, pursuant to N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2; and for Small Business Enterprise (SBE) Set-Aside contracts, awards are also in accordance with N.J.S.A. 52:32-17 et seq. and N.J.A.C. 17:14-1.1.

Recommendations of contract awards to the low bidders meeting Authority specifications are as follows:

BIDDERS BIDS		COMMODITY	VENDOR	COST
INVITED	REC'D			
23	3	Electric Motors, Rewinding, Repair and Replacement	Hights Electric Motor Service Inc. Trenton, NJ	\$ 40,000.00
Original contract term may be extended for two additional one-year terms each under the same terms and conditions, at the sole discretion of the Authority. (RM 465)				
9	6	Landscaping Plant Materials	Barton Nursery Inc. Edison, NJ Gialanella Evergreens Lincroft, NJ L.P. Statile Inc. Colt's Neck, NJ F & F Nurseries Corp. Holmdel, NJ	\$ 75,000.00 (Total)
Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (RM 512 and 535)				
8	4	Pressure Treated Lumber	Bayway Lumber Inc. Linden, NJ	\$110,000.00
Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (RM 515)				
12	5	Heavy Duty Brakes for Trucks over 11,500 GVWR and Highway Maintenance Equipment	Air Brake & Equipment Hillside, NJ Transaxle LLC Cinnaminson, NJ	\$ 55,000.00 \$ 25,000.00
Original contract terms may be extended for two additional one-year terms each under the same prices, terms and conditions, at the sole discretion of the Authority. (RM 520)				
5	2	Woods Mower Parts and Accessories	Storr Tractor Company Branchburg, NJ	\$ 55,000.00
Original contract term may be extended for two additional one-year terms each under the same terms and conditions, at the sole discretion of the Authority. (RM 537)				
11	2	Welding Supplies and Accessories	GT&S Welco Inc. Morrisville, PA	\$ 60,000.00
Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (RM 540)				
13	5	Coarse Paper Products	All Clean Janitorial Supply Co. Inc. Lawrenceville, NJ	\$150,286.24
Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (SBE); (RM 542)				
6	2	Herbicides	DeAngelo Brothers Inc. Hazleton, PA	\$ 62,395.00
Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (PR's 45949 and 47377)				
3	2	Extended Power Train Warranty on Ford Crown Victoria State Police Vehicles	All American Ford Inc. Hackensack, NJ	\$ 87,515.00
Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (PR-46501)				

0000000

121J-08

In the memorandum dated May 6, 2008, concerning a recommendation to **Award a Sole Source Contract – L3 Communications Mobil Vision Inc.** – For Parts, Repairs, Removal and Installation of Mobile Vision Cameras in State Police Vehicles, (RM 539).

New Jersey State Police (Troops D and E) requisitioned a Price Agreement for the repairs, removal, installation and maintenance of mobile vision cameras, as well as parts for troop vehicles. State Police has also requested that the parts and services be obtained from L3 Communications Mobil Vision, Inc. ("Mobile Vision"), which is the sole source provider.

Mobil Vision designed, developed and manufactured the Flashback Digital in-car video system and is the only authorized distributor in New Jersey for the repair and maintenance of the system parts. The parts are essential to the installation of the in-car video system in the State Police fleet vehicles, which provide safety of the motoring public as well as the State Police. In addition, this is an exceptional circumstance, as the removal, installation and maintenance services are necessary for operating the State Police vehicles' video systems. Moreover, the parts are exclusive to Mobile Vision (patents pending), and this vendor is the holder of copyrights and trademarks for the accompanying software. Thus, no other vendor is capable of providing the goods and services required under the Agreement. Thus, it is recommended that this Agreement be procured without public advertisement as a sole source exception to the public bidding laws and consistent with Executive Order No. 37. The term of the Price Agreement is one year, and may be extended for two additional one-year terms each under the same terms and conditions at the Authority's sole discretion. The annual expenditure will be in an amount not to exceed \$70,000.00.

Accordingly, authorization is requested to enter into a Price Agreement with Mobil Vision, Boonton, New Jersey for a one year period for an amount not to exceed \$70,000. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the vendor pursuant to Public Law 2005, Chapter 51 and having no objection to the same. A sole source procurement exception resolution in accordance with N.J.A.C. 19:9-2.2(d)1, as promulgated under N.J.S.A. 27:23-6.1, follows as **Resolution 121J-08**:

RESOLUTION FOR SOLE SOURCE PROCUREMENT
Price Agreement with L-3 Communications Mobil Vision Inc.

WHEREAS, the New Jersey State Police (Troops D and E) requisitioned a Price Agreement for parts, repairs, removal and installation of the in-car video/camera system ("Video System") in its vehicle fleet; and

WHEREAS, in order to maintain the Video System, its parts and services must be procured from the manufacturer and supplier, L3 Communications Mobil Vision, Inc. ("Mobil Vision"); and

WHEREAS, Mobil Vision designed and developed the Flashback Digital Video System currently installed in all Authority Troop vehicles, and the only authorized provider of parts and repair services in New Jersey; and

WHEREAS, the essential parts of the Flashback Digital Video System are exclusive to Mobil Vision (with patents pending), and the software are copyrighted by this vendor; and thus can not be supplied by any other vendor;

WHEREAS, the Video System is crucial to State Police vehicle operations which provide safety to the motoring public as well as the State Police; and

WHEREAS, the one-year Price Agreement for parts, repairs, removal and installation of the Video System will cost \$70,000 for one year; and

WHEREAS, the Authority's regulations pursuant to N.J.A.C. 19:9-2(d)1 promulgated under N.J.S.A. 27:23-6.1 permits sole source procurement when only one source of the required service exists.

NOW, THEREFORE, BE IT RESOLVED THAT the Authority's Commissioners hereby authorize and approve a Price Agreement with L3 Communications Mobil Vision Inc., for the parts and services as outlined herein, for a one (1) year period in an amount not to exceed \$70,000.00 as a sole source exception to procurement by public advertisement permitted by N.J.A.C. 19:9-2.2(d)1 promulgated under the Authority's enabling legislation, N.J.S.A. 27:23-6.1.

ooo0ooo

121K-08

In the memorandum dated May 27, 2008, concerning a recommendation to **Delegate Authority to the Executive Director for Award of a Contract – [Contractor to Be Determined] – for Asphalt and Tack Oil** – (RM's 516, 521 and 525)

The Maintenance Department requisitioned a price agreement for asphalt and tack oil used in roadway patching. Requests for proposals were originally advertised for bids to be opened on May 13, 2008. The Authority, however, received no bids to the solicitation. Purchasing Staff learned that the main reason there were no bids is due to the fact that specifications did not include a provision for price adjustments given the significant fluctuations in asphalt cement (a derivative of oil). According to the Maintenance Staff there is a need for these materials for ongoing roadway repairs. Thus, they recommend that the contract be re-advertised with revised specifications. We have revised the specifications to include a price adjustment index established by the NJDOT for oil based products. The revised bid opening date is June 26, 2008 for award at the July 22nd Commission Meeting. The Maintenance Staff has requested that, given the immediate need for asphalt and tack oil, the award of contract be awarded as soon as possible – prior to the July Commission Meeting.

Accordingly, it is recommended that the Commissioners delegate authority to the Executive Director to award a contract for asphalt and tack oil following the bid opening in June 2008. The anticipated expenditure will not exceed \$84,000, subject to funding availability at the time of service. The contract term will be for one year with the option to extend for two additional one-year terms under the same terms and conditions, at the Authority's discretion. Bids will be procured, and authorization will be sought to award a contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The award will be contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same. Ratification of the award will be presented at the July 22, 2008 Commission Meeting.

ooo0ooo

121L-08

In the memorandum dated May 9, 2008, concerning a recommendation to **Increase Amount of Contract No. 685 – Carrier Corporation** – Agreement for Air Conditioning and Refrigeration Maintenance Services.

At the April 24, 2007 Commission Meeting, authorization was granted to award a contract to Carrier Corporation for air conditioning and refrigeration equipment maintenance and repairs of Turnpike facilities in an amount not to exceed \$275,670 for an 18-month period (monthly \$15,315). This contract was a public bid contract procured in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C.19:9-2.2.

During the course of maintaining the specified Turnpike equipment, representatives of Carrier Corporation identified additional air conditioning units which were not listed in the bid specifications. At the Maintenance Department's request, the vendor conducted a survey and determined that there was an additional 413 tons of equipment to be maintained, approximately 13% above the bid amount. Furthermore, the Authority asked Carrier Corporation to include in Contract No. 685 three air conditioning units (additional 23.14 tons) within the Authority's Administration offices, located inside the Mack-Cali building in Woodbridge, required for cooling Authority-owned computer equipment. The Law Department and General Counsel concurred that it was fair and reasonable for the Authority to negotiate with Carrier Corporation regarding payment for the maintenance of the additional air conditioning units. Thus, the Maintenance Department requests that 1) Carrier Corporation receive a retroactive payment of \$27,105.94 for up to 13 months of service for the additional equipment; and 2) that the monthly payment of Contract No. 685 be increased by \$2,110.92 to a new authorized monthly total of \$17,425.92. (This revised monthly price is still below the second low bid proposal of \$17,584 in the underlying public bid solicitation.)

Accordingly, authorization is requested to increase Contract No. 685 with Carrier Corporation, Fairfield, NJ for air conditioning and refrigeration maintenance services for the period through November 20, 2008. This would bring the new authorized amount to \$315,441.46. All monies are subject to funding availability at the time of ordering.

ooo0ooo

121M-08

In the memorandum dated May 8, 2008, concerning a recommendation to **Increase Contract No. 40485 – Oracle Corporation** – for Oracle Software Upgrades and Service Agreement, Budget Code: 00-010-833-427010.

At the January 22, 2008 Commission Meeting, authorization was granted to award a contract to Oracle Corporation for technical support and software upgrades to the Authority's database management systems for the period January 1, 2008 through December 31, 2008 in an amount not to exceed \$591,740.80. This contract was awarded under the sole source exception to the public bidding laws and consistent with Executive Order No. 37.

According to the Technology and Administrative Services ("TAS") Department, effective this year, the PeopleSoft Human Resources/Payroll module requires a new level of technical support, not provided under the annual maintenance agreement. TAS staff states that the extended support service is essential to prevent any interruption to the technical support services of the integrated accounting software system. The annual cost of this level of technical support is \$11,118.72. Thus, TAS has requested that PO 40485 be increased.

Accordingly, authorization is requested to increase Contract No. 40485 with Oracle Corporation, Redwood Shores, California, by \$11,118.72 for the extended support service for the period through December 31, 2008. This would bring the authorized amount to \$602,859.52.

0000000

121N-08

In the memorandum dated May 14, 2008, concerning a recommendation **to Increase Authorized Amount of Contract No. 256 – Sodexho Inc.** – Cafeteria Services, Authority's Traffic Management & Technology Center ("TMC") in Woodbridge.

At the time of the consolidation of the Garden State Parkway and the New Jersey Turnpike, the License Agreement between the Authority (formerly New Jersey Highway Authority) and Sodexho, Inc. was continued on a month-to-month basis until either the execution by the parties of a new license agreement or until termination of this agreement. The annual authorized amount of the Contract was \$74,000. Due to expanded usage of the cafeteria services, the Patron Services Division requested and received Commission approval to increase Contract No. 256 to an amount not to exceed \$174,000. The Purchasing Department has recently advertised and distributed a request for proposal for a new agreement for cafeteria services at the newly renovated TMC facility. Staff anticipates that the solicitation process for the new license agreement will commence in September this year. Therefore, the Patron Services Division is requesting an increase of \$30,500 to cover all cafeteria operation expenses through September 30, 2008.

Accordingly, authorization is requested to increase the authorized amount of Contract No. 256 with Sodexho Inc., Trumbull, CT, in the amount of \$30,500. This will bring the total authorized amount of this Contract to \$204,500.

0000000

121O-08

In the memorandum dated May 16, 2008, concerning a recommendation to **Increase Authorized Amounts of Multiple Contracts – G.J. Auto Repair; Maaco Collision; Rechenberg Enterprises Inc.; A. Lembro Collision; Cliffside Auto Body; Al's Auto Body; Rochelle Park Auto; Fred's Auto; and Seely Equipment & Supply Co.** – Collision and Body Repair on Various Authority Vehicles.

At the September 26th and the October 31st, 2006 Commission Meetings, respectively, authorization was granted to award multiple contracts to several vendors for collision and body work repairs on Authority vehicles on the Garden State Parkway. Contracts were awarded to nine vendors: G. J. Auto Repair, Weymouth, NJ (No. 557); Maaco Collision, Toms River, NJ (No. 559); Rechenberg Enterprises Inc., Lakewood, NJ (No. 560); A. Lembro Collision, Newark, NJ (No. 561); Cliffside Auto Body, Fairview, NJ (556); Al's Auto Body, South Amboy, NJ (No. 558); Rochelle Park Auto, Rochelle Park, NJ (No. 555); Fred's Auto, Marmora, NJ (No. 573); and Seely Equipment & Supply Co., Farmingdale, NJ (No. 572) in a total authorized amount not to exceed \$200,000. The original contracts were procured and awarded to the lowest responsible bidders in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The term of each contract was for

one year with the option to extend for two additional one-year terms. The contracts have all been extended for the first year through October 22, 2008.

The referenced Contracts have been widely used by both Parkway Maintenance and State Police Departments. In addition due to the extensive use of older vehicles, repairs have significantly increased. Notwithstanding that the original Commission authorization gave Staff the flexibility to use the authorized amounts on individual contracts as needed; the total authorized amount has also been expended. Thus, the Maintenance and State Police Departments have requested that the total authorized amount be increased by \$50,000 for the remainder of the first extension term – to be used on individual contracts as needed. In the meantime, Staff is planning to re-bid these contracts with more realistic anticipated annual amounts.

Accordingly, authorization is requested to increase the contracts with the vendors referenced herein as needed by \$50,000. This would bring the collective total authorized amount to \$250,000. All monies are subject to funding availability at the time of ordering.

Reviewed by the Law Director; available funds certified by the Finance Director where applicable; the Executive Director certified the recommendations for consideration.

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved the fifteen (15) item purchasing agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

ooo0ooo

GENERAL BUSINESS

122-08

In a memorandum dated May 22, 2008, concerning **Award of Professional Services Contract – Inservco Insurance Services Inc. – Third-Party Administrator for the Self-Insured Commercial General Liability and Automobile Liability Program**, Budget Code: 10890-441040.

The New Jersey Turnpike Authority retains the services of a Third-Party Administrator to administer claims under the Turnpike Authority's Self-Insured Commercial General Liability and Automobile Liability Program. Claims handled under this program include personal injury, property damage and police professional claims. The current contract expires on May 31, 2008 and has been extended to June 30, 2008. Authorization is requested to award a professional services contract in accordance with N.J.S.A. 27:23-6.1 as and N.J.A.C. 19:9-2.1(b).

The Turnpike Authority solicited proposals for a Third-Party Administrator for the three-year period commencing July 1, 2008. The contract term may be extended for two additional one-year periods at the Turnpike Authority's sole discretion. A Request for Proposal ("RFP") was distributed to thirty-one (31) proposers and was advertised in three (3) newspapers. The following firms submitted proposals:

Avizent (The Frank Gates Service Company dba Avizent), Woodbridge, NJ
CCMSI (Cannon Cochran Management Services, Inc.), Neptune, NJ
D&H Alternative Risk Solutions, Inc., Newton, NJ
GAB Robins North America, Inc., Parsippany, NJ
Hertz Claim Management, Park Ridge, NJ
Inservco Insurance Services, Inc., Lawrenceville, NJ
PMA Management Corp., Mount Laurel, NJ
Scibal Associates, Somers Point, NJ
York Claims Service, Inc., Parsippany, NJ

The Proposals were reviewed and scored by the Evaluation Committee appointed by the Executive Director consisting of employees from the Insurance Section and the Human Resources Department.

The Evaluation Committee unanimously concluded that Inservco Insurance Services, Inc. best met the Turnpike Authority's requirements for administration of the third-party claims administration program as described in the RFP. Inservco proposed to perform all services at a flat rate of \$95,000 for the first year, \$95,000 for the second year and \$98,325 for the third year of the contract. In the event the Turnpike Authority opts to extend the contract for two additional one-year periods, Inservco has proposed flat fees of \$101,000 and \$104,000, respectively. Inservco has assured that it will provide a pro-active approach to claims management and will be responsive to the Turnpike Authority's needs.

Accordingly, authorization is requested to award a contract to Inservco Insurance Services Inc. to provide third-party claims administration services from July 1, 2008 to June 30, 2011 at a flat rate fee of \$95,000 for the first year, \$95,000 for the second year and \$98,325 for the third year of the contract, with an option to extend for two additional one-year periods at the Authority's sole discretion at the respective rates of \$101,000 and \$104,000, subject to appropriation in the 2008, 2009, 2010, 2011, 2012 and 2013 budgets.

Reviewed by the Law Director; available funds certified by the Finance Director; the Executive Director certified the recommendation for consideration.

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; authorized award of a Professional Services Contract to Inservco Insurance Services Inc. for Third-Party Claims Administrator, as presented; and received and filed the memorandum.

ooo0ooo

123-08

Deputy Executive Director Scaccetti presented the recommendation contained in a memorandum dated May 27, 2008, concerning **Authorizing the Executive Director to Enter into an Amendment to Agreement – McDonald's Corporation – Change in Franchisee at the Vaux Hall Plaza Parkway Service Area and for Modification and Clarification of Certain Other Issues**

The New Jersey Highway Authority (NJHA) entered into an Agreement dated October 22, 1987 with the McDonald's Corporation ("McDonald's") (the "Agreement") in which the NJHA leased premises in the Brookdale South Service Area and in the Vaux Hall Plaza Service Area

location for the purpose of operating a McDonald's Restaurant at each site. The First Amendment to the Agreement ("First Amendment") was entered into on July 22, 1998 extending the term of the original Agreement and modifying other provisions therein.

Pursuant to Paragraph 20 of the Agreement and the terms of said First Amendment, McDonald's may not voluntarily or by the operation of law assign, sell, transfer or pledge the Agreement or any rights thereunder or suffer or permit its interest thereunder to devolve upon any person, firm, association or corporation without the prior written consent of the NJHA. In April, 2004 a Second Amendment to the Agreement ("Second Amendment") was approved by the New Jersey Turnpike Authority (Authority) Commissioners authorizing the Executive Director to enter into said Second Amendment approving a change in Franchisee at the Vaux Hall Services Plaza and the Brookdale Plaza South as well as clarifying certain terms of the Agreement and said First Amendment. In July of 2007, the Commissioners approved the Third Amendment to the Agreement ("Third Amendment") by which the Executive Director was authorized to enter into said Third Amendment approving a change in the Franchisee at the Brookdale Plaza South.

McDonald's has recently notified the Authority that the existing franchisee for the Vaux Hall location is desirous of transferring its interests at this location. McDonald's has advised the Authority that the requisite due diligence of the prospective franchisee has been conducted and has determined that the proposed entities satisfy any and all requirements of the McDonald's Corporation.

In light of the above, McDonald's is requesting the consent of the Authority to the transfer of said franchise to Annis L. Alston-Staley and Harry Staley, or to any family members of Annis L. Alston-Staley and Harry Staley, or to any entity controlled by them, to the extent that they are McDonald's Restaurant Franchisees, and to the extent consent is required under the Agreement.

McDonald's has also requested that the Authority reevaluate and clarify the treatment and calculation of commissions received directly by McDonald's, McDonald's wholly owned subsidiaries or its or their franchisees from their vendors in connection with sales or receipts through vending machines, wi-fi, internet kiosks, ATM machines, payphones and sales of sunglasses and other accessories from kiosks located at the restaurant facilities. Such clarification, however, will require discussion. Thus, it is recommended that authorization be granted to the Authority's Executive Director to consent to this change in franchisees subject to the resolution of any outstanding issues and payment of any outstanding obligations that may have arisen out of and surrounding the aforementioned Agreement, First, Second and Third Amendments. It is further recommended that the Executive Director be authorized to execute any and all other documents related to this Agreement and said Amendments for operation of the McDonalds franchise at the Vaux Hall Service Area that are considered advisable and agreed upon by the parties in their mutual interest upon the review and approval of the terms and conditions by the Law Department and General Counsel.

Reviewed by the Law Director; the Executive Director certified the recommendation for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation; authorized the Executive Director to enter into an Amendment to Agreement with McDonald's Corporation, as outlined above; and received and filed the memoranda.

0000000

124-08

Executive Director Lapolla presented the recommendation contained in a memorandum dated May 28, 2008, concerning **Authorization to Amend New Jersey Turnpike Authority Regulations N.J.A.C. 19:9-1.1 and 19:9-1.19 to Discontinue Acceptance of Car Tokens and Bus Tokens on the Garden State Parkway.**

By Resolution 84-238, the former New Jersey Highway Authority (NJHA) authorized payment of tolls on the Garden State Parkway by currency, coin or authorized token or scrip. Four years later, in 1988, in contemplation of the Parkway's tolls increasing from \$.25 to \$.35, the NJHA authorized the sale and merchandising of Authority tokens at \$10.00 per roll of 30 by Resolution 88-204. In 2001, with the advent of E-Z Pass and electronic tolling, when it became apparent that tokens were no longer the preferred method of payment, the NJHA adopted resolution 2001-121, which, among other things, provided for the discontinuance of the sale of car tokens and bus tokens effective January 1, 2002.

In the almost seven (7) years since the discontinuance of the sale of tokens, their usage has steadily declined, to a point where today they represent less than one-tenth of 1% of all toll transactions on the Parkway. Staff has reviewed this issue and has determined that it is no longer economically feasible to continue to accept tokens. Therefore, it is recommended that the acceptance of tokens be discontinued after the effective date of amendment of the New Jersey Turnpike Authority regulations on or about January 1, 2009.

Accordingly, authorization is being sought to advertise a Notice of Proposed Rulemaking, followed by a 60-day public comment period required by law, to amend the New Jersey Turnpike Authority regulations N.J.A.C. 19:9-1.1 and 19:9-1.19 to discontinue the acceptance of car and bus tokens as payment for tolls on the Garden State Parkway. The Notice of Proposed Rulemaking will be prepared by the Law Department and reviewed and approved by Co-General Counsel, DeCotiis Fitzpatrick Cole & Wisler LLP. The Notice of Proposed Rulemaking will be posted on the Authority's website, published in appropriate newspapers and filed with the Secretary of State and the Office of Administrative Law. It is further recommended that the Executive Director be authorized to take all steps necessary and required to review any and all public comments to the proposed rulemaking and if, in his judgment, he determines that it is appropriate that the proposed rule be adopted without material change, he may file such rule with

the Office of Administrative Law for final adoption without further review or action by the New Jersey Turnpike Authority Commissioners.

Also, Executive Director Lapolla announced that a redemption program for unused tokens will be put into place.

On motion by Commissioner Cummis, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; authorized amending New Jersey Turnpike Authority Regulations N.J.A.C. 19:9-1.1 and 19:9-1.19 to discontinue acceptance of car tokens and bus tokens on the Garden State Parkway; and further authorized a redemption program to be developed by staff; and received and filed the memorandum.

ooo0ooo

Technology and Administrative Services Director Gorman presented items 125-08 and 126-08 and requested approval. Those recommendations are as follows:

125-08

In a memorandum dated May 19, 2008, concerning **Ratification of a Traffic Operations Agreement, Superseding the Memorandum of Understanding, between New Jersey Department of Transportation (NJDOT) and New Jersey Turnpike Authority (NJTA) for the Fiber Optic Network**, Budget Code: 10-950-466010

Authorization is sought to ratify a Traffic Operations Agreement between New Jersey Department of Transportation (NJDOT) and New Jersey Turnpike Authority (NJTA) dated March 19, 2008. This Agreement supersedes the Memorandum of Understanding dated September 1, 2004, as Amended August 16, 2007.

The Agreement provides a structure which defines the use and maintenance of both NJTA and NJDOT fiber optic assets. The Agreement also defines use and maintenance responsibility for the Traffic Information Database (SWIFT). Finally the Agreement provides a framework for reimbursable construction activities to be completed by NJTA on behalf of NJDOT.

The cost of additional fiber maintenance to the NJTA will not exceed \$151,980 annually, offsetting projected maintenance costs which the NJTA will not incur for the SWIFT application projected at \$475,000 also on an annual basis.

Therefore, it is requested that the New Jersey Turnpike Authority Commissioners ratify the Traffic Operations Agreement between NJDOT and NJTA dated March 19, 2008.

ooo0ooo

126-08

In a memorandum dated May 22, 2008, concerning **Issue of Supplement A to Utility Order NJFON-Adesta-8 – Adesta LLC** – Traffic Surveillance, Construction Fund Budget: 08017006.

Authorization is sought to issue a supplement to utility order NJFON-Adesta-8. The utility order provided for an additional 50 traffic surveillance cameras on the Turnpike and Parkway roadways and extended New Jersey Turnpike Authority (NJTA) traffic surveillance to 159

locations. This supplement will provide for additional traffic surveillance and improved safety on both roadways.

The utility order also provides for engineering, permits, new duct and related construction, fiber optic cable installation, splicing and testing.

Adesta LLC maintains the existing fiber optic cable and termination electronics on the NJTA fiber optic ring under an existing maintenance contract.

The total amount of Supplement A to this utility order will not exceed \$1,575,000. Funding for these assignments will be provided through the project budget for which services are required utilizing the NJTA 's Work Request Authorization Form (WRAF) process. Therefore, it is requested that the NJTA authorize the issuance of Supplement A to Utility Order NJFON-Adesta-8 to Adesta LLC.

Reviewed by the Law Director; available funds certified by the Finance Director; the Executive Director certified the recommendations for consideration.

On motion by Commissioner Hodes, seconded by Commissioner Pocino, the Authority unanimously approved the recommendations in items 125-08 and 126-08; ratified the Traffic Operations Agreement between NJDOT and NJTA; and authorized issue of Supplement A to Utility Order NJFON-Adesta-8 to Adesta LLC, as presented; and received and filed the memoranda.

ooo0ooo

127-08

Finance Director Hayllar presented the financial results of the New Jersey Turnpike Authority for the Three Months ended March 31 and the Four Months ended April 30, 2008.

Chairman Kolluri noted the information regarding traffic and revenue. The Finance Director confirmed that the figures demonstrate that traffic is flat and revenues are down.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority's **Financial Summary** was unanimously accepted and received for file.

ooo0ooo

128-08

Resume of All Fatal Accidents – Garden State Parkway and New Jersey Turnpike. Submitted by Operations Director Hill, it contains a descriptive account for the Period 1/1/08 to 5/14/08 and also includes 2007 – 2008 Yearly Comparisons for the three months through March and four months through April 2008.

On motion by Commissioner Hodes, seconded by Commissioner Pocino, the Authority unanimously accepted the Resume' and received for file.

ooo0ooo

129-08

New Jersey State Police Troops D and E - Reports of Activities for the months ending March and April of 2008 with 2007 – 2008 Yearly Comparisons; was submitted by Captain Burke, Troop E Deputy Commander.

On motion by Commissioner Hodes, seconded by Commissioner Pocino, the Authority unanimously accepted the reports and received for file.

ooo0ooo

At this juncture, Chairman Kolluri opened the floor to public comment on other matters. There was no response.

Chairman Kolluri then announced that Executive Director Lapolla was leaving the New Jersey Turnpike Authority and continued by saying that both the Governor and he have recognized Michael as serving the Authority well. The Chairman expressed his personal sincere thanks for Mr. Lapolla's vigorous work over the years.

ooo0ooo

The motion to adjourn was made by Commissioner Pocino, seconded by Commissioner DuPont and, after the voice vote, the motion was duly adopted. The Authority adjourned at 10:50 A.M., to meet at its regular location of 581 Main Street, Woodbridge, on Tuesday, July 22, 2008, at 9:30 A.M.

ooo0ooo

The Assistant Secretary acknowledges receipt of the following documents for file:

ADDITIONAL REPORTS:

Purchases – under Resolution 40-95, Executive Directors Delegated Authority (EDDA), for the Period: April 1, 2008 – April 30, 2008.

Utility Orders – under EDDA 117-05; Dated May 28, 2008.

Utility Order NJFON-Adesta-15 – Adesta LLC – Interconnection between New Jersey Department of Transportation (NJDOT) and New Jersey Turnpike Authority (NJTA) Backbone Fiber Optic Cable, Garden State Parkway Locations, Intelligent Transportation Systems (ITS), Traffic Management Center; authorized 4/16/08.

Contract Change Order Summary, for Type 1 and Type 2 – Period April 4 through May 8, 2008, Dated June 4, 2008.

Type 3, Change Order No. 3 – Contract T200.058 – Crisdel Group Inc.; authorized 2/26/08.

Type 3, Change Order No. 1 – Contract P300-054 – Tilcon New York Inc.; authorized 4/16/08.

Construction Progress – Period Ending May 9, 2008; Dated May 28, 2008.

AGREEMENTS/CONTRACTS:

Insurance – Excess Workers Compensation Policy; Risk Strategies Company Inc. as Broker, Period 2/1/08 – 2/1/09; authorized 1/22/08.

Insurance – Property Insurance Policies; NIA Group Associates LLC as Broker, Period 9/1/07-9/1/08; authorized 8/28/07.

Deed – to Township of Woodbridge, NJ, from New Jersey Turnpike Authority, Dated March 27, 2008 – Turnpike Section 5: Parcel No. 1035; Block 683; Lot 1.A1, Woodbridge Township, Middlesex County, New York and New Jersey Harbor Deepening Project; authorized 12/10/07.

Deed – to New Jersey Turnpike Authority, from Daniel Borocz, Jr., Dated February 25, 2008 – Turnpike Right-of-Way (ROW) Section 3E: Parcel No. 261; Block 101; Lot 2; 10 Bordentown-Chesterfield Road, Chesterfield Township, Burlington County; authorized 1/22/08.

Programmatic Agreement – with NJ State Historic Preservation Office (SHPO); United States Army Corps of Engineers (ACE); and United States Coast Guard (USCG) – Mitigation of Potential Impacts to Parkway’s Historical District Designation; authorized 2/26/08 and 4/16/08.

Contract Agreement (under Purchase Agreement No. 871), dated 5/2/08 – All State Power Vac. Inc. – Removal & Disposal of Hazardous and Non-Hazardous Waste, Material and Emergency Spill Response; authorized 2/26/08.

Contract No. P200.082 – Stavola Contracting Co. Inc.; authorized 2/26/08.

Contract No. T900.093 – A. P. Construction Inc.; ratified 6/4/08.

ORDERS FOR PROFESSIONAL SERVICES:

OPS No. T3161 – Edwards & Kelcey Inc. – Supervision of Construction Services; authorized 1/22/08.

OPS No. T3162 – Dresdner Robin environmental Management Inc. – Remediation Systems Monitoring & Maintenance; authorized 1/22/08.

Supplemental OPS No. P3060B – TransSystems Corporation – Design Services; authorized 4/16/08.

Supplemental OPS No. A3083A – Hill International Inc. – Construction Management and Inspection Services; authorized 2/26/08.

Supplemental TPK OPS No. 2047B – United Water Services LLC – Wastewater Management; authorized 1/22/08.

Rose Stanko
Assistant Secretary

APPROVED:

Kris Kolluri, Chairman and NJ Department of Transportation Commissioner

Michael R. DuPont, Treasurer

Harold L. Hodes, Commissioner

David G. Evans, Commissioner

Raymond M. Pocino, Commissioner

Clive S. Cummis, Commissioner