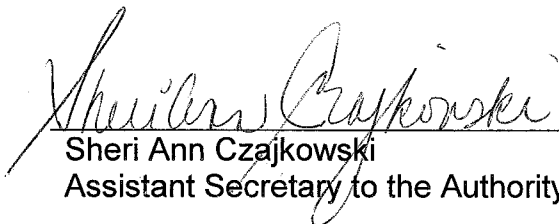


**CERTIFICATION
OF
NEW JERSEY TURNPIKE AUTHORITY**

I, Veronique Hakim, hereby certify that I am the Executive Director of the New Jersey Turnpike Authority and as such Executive Director certify that the attached copy of PROCEEDINGS OF THE NEW JERSEY TURNPIKE AUTHORITY is a true and correct copy of the Minutes of the **April 25, 2012** Regular Meeting of the Authority.

IN WITNESS THEREOF, I have hereunto set my hand and affixed the official seal of the New Jersey Turnpike Authority **this 26th day of April, 2012.**

ATTEST:


Sheri Ann Czajkowski
Assistant Secretary to the Authority


Veronique Hakim,
Executive Director

Corporate Seal

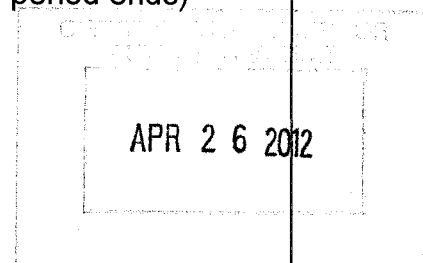
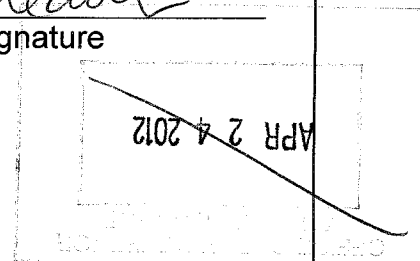
Date: April 26, 2012

**Received in the Governor's Office on April 26, 2012
(hand delivered)**

Received by: Tina Leaver Tina Leaver
Print Name Signature

Time: _____

Veto Period Ends: 5/10/12
(Write in the date the veto period ends)



PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY

COMMISSION MEETING

WEDNESDAY, APRIL 25, 2012

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Chairman James S. Simpson called the Authority into session in the Executive Boardroom of the Authority's Administration Offices, Woodbridge, New Jersey, at 9:30 A.M.

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PRESENT

Present were Chairman James S. Simpson, Vice Chairman Ronald Gravino, Treasurer Michael DuPont; Commissioner Harold Hodes; Commissioner Raymond Pocino; Commissioner Ulises Diaz and Commissioner Daniel Becht. The meeting commenced at 9:30 a.m.

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ALSO PRESENT

Executive Director Veronique Hakim; Deputy Executive Director John O'Hern; Chief Engineer Richard Raczynski; Acting Director of Law Phillip Espinosa; Electronic Toll Collection Director Dennis Switaj; Chief Financial Officer Donna Manuelli; Human Resources Director Mary-Elizabeth Garrity; Director of Internal Audit James Carone; Assistant Director of Maintenance Joseph Lentini; Director of Operations Sean Hill; Purchasing Director Andrea Ward; Chief Information Officer Barry Pelletteri; Director of Tolls Robert Quirk; and Assistant Secretary to the Authority Sheri Ann Czajkowski.

Also present were: Governors' Authorities Unit Representative Brett Tanzman; Ryan Feeney, Manager of Public Finance State Treasurer's Office; additional individuals consisting of other NJTA employees; interested organizations; the general public; and from the media: The Star Ledger, The Asbury Park Press and The Bergen Record.

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NOTICE OF MEETING

This is a regular meeting of the New Jersey Turnpike Authority. Adequate notice of this meeting has been provided in accordance with Chapter 231, P.L. 1975 in that notice has been given to 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.

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ACTION ON MINUTES

The Executive Director reported that ten days, excluding Saturdays, Sundays and holidays, have elapsed since Governor Chris Christie received the proceedings of the regular meeting of March 27, 2012; he did not exercise his power to veto any items in those minutes.

There is one correction to be noted in those Minutes. Agenda Item No. 086-03-2012 in the Minutes references that the project is being funded by Fund No. 39011012; this is incorrect. The Agenda Item as it appeared in the blue book was correct; the Fund No. should be 39001011.

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

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RECUSALS

The Executive Director reported that advisements of recusal had been submitted and asked for any further recusals or abstentions to be placed on record for this meeting. Those results are regarding the following items:

- Chairman Simpson: 143-04-2012
- Commissioner Pocino: 134-04-2012 thru 143-04-2012, 145-04-2012 and 146-04-2012
- Commissioner Hodes : 144-04-2012 and 161-04-2012
- Commissioner Diaz: 144-04-2012

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EXECUTIVE DIRECTOR’S COMMENTS

No comments were made this month.

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PUBLIC COMMENT

Chairman Simpson opened the floor to public comment on matters relating to the current agenda and all other matters.

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**PAUL HOTTINGER, Garden Chemical and Supply
TIM MORRIS, Bullen Chemical**

Mr. Hottinger and Mr. Morris spoke regarding agenda Item 151-04-2012, which rejects all bids for the Authority's public bid for soap to be used in its vehicle wash facilities. Messrs. Hottinger and Morris stated that they had developed a soap that not only is more effective but it also was more environmentally friendly than that offered by the industry leader. They added that the price of their product was competitive with the industry leader. They suggested that the Authority should not award a contract for the soap until the bid specifications are given further review.

ED Hakim stated that the Authority has an agenda item today to reject all bids. The Authority will then re-evaluate the bid specifications to ensure it can procure the best product for the vehicle wash facilities.

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COMMISSIONER’S COMMENTS

No comments were made this month.

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HUMAN RESOURCES

Director of Human Resources Mary-Elizabeth Garrity requested approval of item 125-04-2012. Moved is the item as follows:

125-04-2012

Human Resources Director Garrity submitted the Personnel Agenda, dated April 25, 2012, and requested confirmation of the personnel matters contained therein. The Executive Director certified the recommendations for consideration.

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

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LAW

Acting Director of Law Philip Espinosa requested approval of items 126-04-2012 through 134-04-2012.

Chairman Simpson indicated that he spoke with Senator Jeff VanDrew regarding the status of item 129-04-2012, which relates to removing the traffic signals at mileposts 9, 10 and 11 on the Garden State Parkway. Chief Engineer Raczynski stated that the delay with moving forward with the project to remove the traffic signals is related to securing an appropriate wetlands mitigation site. The Authority plans to resolve the mitigation site issue by purchasing property from Evergreen Environmental and granting access to the property to Atlantic City Electric. When it finalizes the wetlands site, the Authority can proceed with the project as it has the requisite permitting in place. The Authority anticipates awarding a construction contract in the fourth quarter of 2012.

Commissioner DuPont stated that item 131-04-2012, which relates to the Motor Vehicle Commission suspending the vehicle registrations of toll violators, is a valuable program to ensure the Authority collects all of its toll revenue. Commissioner DuPont commended Chairman Simpson for spearheading this program.

Moved as a group those items are as follows:

126-04-2012

In a memorandum dated April 12, 2012, Ratification of Action Taken and Authorization for the Acquisition of Property Interests Required for the New Jersey Turnpike Authority, Interchange 6-9 Widening Program, Acquisition of Two (2) Properties and Payment of Damages to Two (2) Property Owners, 2009 Capital Construction Program, in an amount of \$2,127,797.50 (\$1,728,601.50 was previously approved, an additional

\$399,196.00 is required), was approved.

The New Jersey Turnpike Authority (the "Authority") is proceeding with its plans to widen the Turnpike between Interchange 6 in Mansfield Township, Burlington County and Interchange 9 in East Brunswick Township, Middlesex County (the "Widening Program"). The roadway will be widened to 12 lanes with major modifications constructed at four interchanges. Final design is currently underway and construction is proceeding.

The acquisition of the necessary property interests is critical to the success of the Widening Program. In light of same, the Commissioners of the New Jersey Turnpike Authority authorized the Executive Director to take all steps necessary to prepare for the acquisition of property rights needed through final construction of the Widening Program with final action being brought to the Commissioners for ratification under Agenda Item No. 315-09-2011.

This Agenda Item seeks Authorization to acquire certain property interests for which condemnation actions were filed, but which have subsequently been settled, as well as ratify final action taken as to other property interests as follows:

I. Payment of Damages for a Negotiated Acquisition: The Authority has determined that the property identified below is necessary for the Widening Program. To that end, the Authority had an appraisal prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for the property. The Authority then entered into good faith negotiations with the owner and its respective counsel as appropriate for the purchase of same or the settlement of any claims related to the acquisition based on this appraised value and in compliance with the laws governing its powers of eminent domain. Negotiations continued and a settlement of all terms was agreed upon. The following is a description of the property for which the parties have finalized negotiated terms of sale and/or payment of damages related to same:

- 1) Turnpike Design Section 6, ROW Section 4J
Parcel No. C1085A, Block 25, Lot 4.01 (Partial Taking)
263 Ward Avenue, East Windsor Township, Mercer County
Owner: Local 827 IBEW AFL-CIO
Amount: \$551,183.50 (\$538,187.50 was previously approved for the required property interests, an additional \$12,996.00 is required for payment of damages)

The Authority's Commissioners previously approved the acquisition of the required property interests from the above property owner in agenda item nos. 69-10 and 377-11-2011. This agenda item seeks authorization to pay the owner \$12,996.00 in damages for the replacement of their sign which is required as a result of the Authority's construction.

II. Settled Eminent Domain Proceedings. The Authority has determined that the three (3) properties listed herein are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. With respect to the below parcels, the Authority had contacted the respective property owners and entered into good faith negotiations with said owners and their respective counsel for the purchase of same, based on the appraised value and in compliance with the laws governing its powers of eminent domain. Eminent Domain proceedings were filed as a last resort. The following is a description of certain property acquisitions that have been settled after the filing of a condemnation proceeding.

- 1) Turnpike Design Section 7, ROW Section 4K
Parcel Series 1159, Block 9, Lots 1.01 (Partial Taking)
2-4 Hightstown – Cranbury Road, Township of Cranbury, Middlesex County
Owner: Chamberlain and Barclay, Inc.
Amount: \$75,000.00 (\$56,300.00 was previously approved, an additional

\$18,700.00 is required to settle the condemnation action)

The Authority's Commissioners previously approved the acquisition of the required property interests by condemnation under agenda item no. 93-10. After further negotiations and prior to a commissioners hearing and trial, the parties were able to reach a settlement of this matter in the amount of \$75,000.

- 2) Turnpike Design Section 7, ROW Section 4H
Parcel Series 1028C, Block 43, Lots 1 (Partial Taking)
407 Gordon Road, Robbinsville Township, Mercer County
Owner: Dakota Realty, LLC
Amount: \$1,168,614.00 (\$1,001,114.00 was previously approved for condemnation of the property interests and damages, an additional \$167,500.00 is required to settle the condemnation action)

The Authority's Commissioners previously approved the acquisition of the required property interests, which was farmland preserved by condemnation under agenda item no. 70-10, and subsequently, approved damages in the amount of \$993,614.00 for trees that had to be cut down for the easement required for the relocated Colonial Pipeline in agenda item no. 197-10. After a re-appraisal and commissioner award, but prior to trial the parties were able to settle the condemnation, for \$175,000. Approval of the settlement of this matter was obtained by SADC through a Memorandum of Understanding (see agenda item no. 048-02-2012).

- 3) Turnpike Design Section 3, ROW Section 3F
Parcel Series 307C, Block 2716.03, Lot 17 (Partial Taking)
5465-5561 South Broad Street, Hamilton Township, Mercer County
Owner: 3D Company, LLC
Amount: \$333,000 (\$133,000 previously approved for condemnation of the property interests, an additional \$200,000 is required to pay for damages and settle the condemnation)

The Authority's Commissioners previously approved the acquisition of the required property interests, which were farmland preserved by condemnation under agenda item no. 042-02-2011. That agenda item provided that in accordance with applicable law, the property owner was entitled to (\$37,852.00, while the Mercer County Agricultural Development Board was entitled to \$95,148.00. This agenda item seeks authorization to pay the property owner damages to a residential home located on the property as a result of the construction in the amount of \$200,000, in order to settle the underlying condemnation action.

Except for the acquisitions in subsection 2), Section II, the acquisitions in Sections I and II above do not involve property designated as "Preserved Farmland" pursuant to and as regulated by the *Agriculture Development and Retention Act*, N.J.S.A. 4:1C-11, et seq., and *State Agricultural Development Committee Rules*, N.J.A.C. 2:76-1.1, the Act's implementing regulations, Nor have any of these properties been designated or encumbered as Green Acres properties pursuant to N.J.S.A. 13:1D-52, et seq. and N.J.A.C. 7:35-26.1, et seq. For the acquisition in Section II, 2), the Authority abided by the requirements of the *Agriculture Development and Retention Act*, N.J.S.A. 4:1C-11, et seq., and *State Agricultural Development Committee Rules*, N.J.A.C. 2:76-1.1, the Act's implementing regulations, as well as obtained consent for the settlement as described above.

All actions taken by the Executive Director have been necessary for the purchase of the properties listed above including the satisfaction of certain other costs required by law to be paid at closing. All actions taken by the Executive Director have been reviewed and approved by the Law Department and General Counsel.

Based on the foregoing, it is requested that the Authority Commissioners ratify any and all actions taken by the Executive Director as outlined herein for the acquisition of the properties set forth above.

127-04-2012

In a memorandum dated April 20, 2012, **Authorization to Renew Bridge and Non-Bridge Property Insurance for the Garden State Parkway for One Year (May 1, 2012 through April 30, 2013), Operating Budget Account No. 010-00-893-441000**, was approved.

The Authority maintains the following property insurance for property located on the Garden State Parkway both of which are scheduled to expire on May 1, 2012: (1) Garden State Parkway – Bridge Insurance; 2) Garden State Parkway – Non-Bridge Property Insurance including Boiler and Machinery Coverage. In late 2009, a Request for Proposal was released and awarded to brokers for placement of these coverages. The awards to the brokers were for a three (3) year period. This is the third and final year of the award.

Renewal quotations were submitted by each broker of record. Staff reviewed the renewal quotations and had the following recommendations:

1. **Bridge Insurance - Garden State Parkway**

The New Jersey Turnpike Authority (the "Authority") currently maintains property insurance covering bridges on the Garden State Parkway with a limit of liability of \$125,000,000 per occurrence, with various sub-limits for particular occurrences, based on total insurable values of \$2,959,082,734, and with a premium rate of \$0.0313 per \$100. The current coverage is provided on a quota-shared basis by Ace (40% quota share); Landmark American Insurance Company (28% quota share); Hiscox (12% quota share); AWAC (12% quota share); and Ironshore Specialty (8% quota share). The broker of record is Risk Strategies Company, Inc. ("Risk Strategies"). The expiring premium for this coverage is \$929,072, including the Terrorist Risk Insurance Act (TRIA) coverage, which covers acts of Terrorism, and the mandatory New Jersey PLIGA surcharge.

Risk Strategies was instructed to approach the market in order to secure the most competitive quotation for coverage as expiring. Risk Strategies accordingly sought quotations from a number of carriers, but received only three (3) quotations from the following carriers: (1) Lexington; (2) ACE/AWAC/Hiscox/RSUI/Starr Indemnity (with each providing a quota share); and (3) Zurich. One carrier, XL Insurance provided an informal indication of **\$1.3 million** for coverage as expiring. For the reasons set forth below, the quote provided by Zurich is the most advantageous to the Authority.

Lexington offered a premium of **\$829,000**, a decrease of \$100,072 or 11%, from the current premium but did not provide coverage for property in Flood Zone A locations, where the Authority owns bridges. The combined ACE/AWAC/Hiscox/RSUI/Starr Indemnity quote included several enhancements in coverage, while offering a premium of **\$946,270**, an increase of \$17,198 over the current premium.

The Zurich proposal met all the requirements of the current policy and also included the following enhancements to the existing program: (1) increase of the loss limit from \$125,000,000 to \$150,000,000; (2) increase in earthquake sublimit from \$50,000,000 to \$150,000,000; (3) increase in storm sublimit from \$25,000,000 to \$150,000,000; (4) increase in flood sublimit from \$10,000,000 to \$25,000,000 with \$10,000,000 applicable to ZONE A; (5) increase in limits of coverage for extra expense, debris removal and transit; and (6) provision of new coverage for expediting expenses and loss adjustment expenses, where the current program does not provide these coverages.

Additionally, Zurich was willing to guarantee the premium rate to the Authority for three

(3) years, at the Authority's option and subject to a loss ratio formula, at a rate of \$.0262 per \$100. Zurich quoted an annual premium including TRIA of \$792,081.00, which along with the New Jersey mandatory PLIGA surcharge of \$7,129.00, would make the total annual premium **\$799,210**, or a premium savings of **\$129,862** from last year's premium. The Authority is under no obligation to renew the coverage beyond the first year, and may cancel the coverage at any time, with a "short rate" fee of approximately ten percent of the premium. Notwithstanding the fee associated with an early cancellation of coverage, this quotation still is the most advantageous to the Authority, and upon recommendation of the broker and review by staff, it is recommended that the Authority accept Zurich's proposal.

2. Non Bridge Property, including Boiler and Machinery - Garden State Parkway

The Authority also maintains property insurance covering all other (non-bridge) property physically located on the Garden State Parkway. Current coverage is provided for direct physical loss on damage to real property, personal property, and business interruption, including extensions of coverage, as described under the policy. Coverage is provided by ACE with Wells Fargo Insurance Services, USA, Inc., ("Wells Fargo") as broker of record. The expiring premium is \$247,205, including TRIA coverage of \$125,000,000 for maximum probable loss.

Wells Fargo was directed to approach the market in order to secure the most competitive quotations for coverage as expiring. A number of underwriters were approached but did not provide a quotation, indicating instead that their prospective quote could not be competitive with the current program. Quotations were ultimately received from the following two (2) carriers: ACE (the incumbent), and Zurich.

Both ACE and Zurich proposed covering all property on the Garden State Parkway, with a blanket limit of \$245,689,586 per occurrence. However, certain enhancements offered by Zurich, as well as a lower premium make their proposal more advantageous to the Authority. Zurich offered both Boiler and Machinery coverage and Terrorism coverage at the full policy limits, while ACE provided \$50,000,000 per occurrence for each; additionally, Zurich offered higher sub-limits for Valuable Papers, Accounts Receivable and Transit than what ACE could provide.

Zurich quoted an annual premium, including TRIA coverage and all applicable taxes and fees, of **\$261,500**, which represents a premium savings of **\$6,100**, notwithstanding the enhanced coverages. This quotations is the more advantageous to the Authority and upon recommendation of the broker and review by staff, it is recommended that the Authority accept Zurich's proposal.

Therefore, based on the review by the brokers of record and Authority staff, it is recommended that the Authority renew the coverages as set for the above for a period of one (1) year, effective May 1, 2012, with the carriers, premiums and brokers of record as outlined above. It is further recommended that the Executive Director with the assistance of the Law Department, be authorized to take all such actions and execute all such documents as are necessary to effectuate the intent of this authorization.

128-04-2012

In a memorandum dated April 12, 2012, Authorization to Reaffirm the Authority's Declaration of Surplus for a Portion of Property and Declare Additional Property Surplus to the Authority's Needs. Reaffirm: Portion of Section 7, Parcels 534X-3 and 534 (+ 14 acres), Declare Surplus Portion of Section 7, Parcels 534X-3 and 534 (+ 4.3 acres), Total Areas: + 18.3 acres, Borough of Ridgefield Park, Bergen County, was approved.

By agenda item 218-05, the Commissioners of the Authority declared surplus a $\pm$ 14 acres parcel in the Borough of Ridgefield Park pursuant to the Authority's surplus property policy. A portion of the property consisting of approximately $\pm$ 4.3 acres was reserved at the request of

the Maintenance department for potential future use. The Authority has decided to review its use for such reserved portion and, in accordance with the Authority's Surplus Property Policy, the Law Department has circulated information regarding Parcels 534X-3 and 534 for review by the Authority's Engineering, Operations, Maintenance, and outside Engineering Consultant. Each have reviewed the information with regard to Parcels 534X-3 and 534 and have all certified that the Authority no longer requires either of the properties and does not see any future use for either of the properties by the Authority. Accordingly, it is recommended that both entire parcels, consisting of $\pm$ 18.3 acres now be declared surplus. These properties are located on the easterly part of the Roadway, was previously utilized as a toll plaza, and more recently, a staging and storage area for Maintenance. It is also adjacent to a Ridgefield Park redevelopment zone.

Accordingly, it is recommended that authorization be given to declare both parcels 534X-3 and 534 as surplus to the Authority's needs. It is further recommended that the Executive Director be authorized to take any other steps necessary to prepare for the sale of these parcels in accordance with the Authority's Surplus Property Policy upon review and approval of such action by the Law Department and General Counsel.

129-04-2012

In a memorandum dated April 19, 2012, **a Recommendation to Take Steps Necessary for the Implementation of the Interchange 9/10/11 Improvements Project and Authorization to Take Steps Necessary to Acquire the Necessary Property, Garden State Parkway, Township of Middle, Cape May County**, was approved.

The New Jersey Turnpike Authority ("Authority"), in conjunction with the New Jersey Department of Transportation ("NJDOT"), the Federal Highway Administration ("FHWA") and Cape May County, is proceeding with its plans for the construction of the Interchange 9/10/11 Improvements Project (the "Project") in the Township of Middle, Cape May County.

This Project includes improvements to Interchanges 9, 10 and 11, which are at-grade signalized intersections that connect the Garden State Parkway with surface streets. The Project would eliminate the at-grade signalized intersections and upgrade this segment of the Parkway to a fully access controlled highway, giving preference to through traffic by providing ramp connections only at selected public roads and prohibiting at-grade intersections and direct private driveway connections with the Parkway. This will improve both pedestrian and motorist safety. The Authority estimates that the total cost of the Project will be \$125 million, and anticipated federal funding for this project is approximately \$37 million.

The Project will require real estate acquisitions from various public and private entities for direct use in the Project, as well as the potential acquisition of real property for wetlands mitigation purposes. Pursuant to the National Environmental Policy Act (NEPA), the Authority has submitted its Environmental Assessment of the Project, and all related materials, to the FHWA and is awaiting the issuance of by the FHWA of a Finding of No Significant Impact ("FONSI"). Other than certain preliminary land acquisition activities, the Authority is prohibited under FHWA regulations from engaging in the "process of acquiring real property" prior to the issuance of the FONSI. See 23 C.F.R. §710.203(a)(3).

To avoid delays in the anticipated construction schedules, Authority staff request that the Commissioners authorize the Executive Director, with the assistance of the Law Department, Engineering Department, General Counsel and other Authority consultants, to take all steps necessary to engage in the "process of acquiring," as defined in FHWA regulations, the property necessary for the Project, subject to the FHWA completing the NEPA review process and approving the project. This authorization would include, but not be limited to, arranging for appraisals and entering into negotiations to acquire the necessary property interests, and when such negotiations have reached an impasse, commencing Eminent Domain proceedings,

including but not limited to depositing the appraised value into court and filing a Declaration of Taking.

Any negotiation to acquire property interests shall be conducted in accordance with the FHWA's final decision document issued pursuant to NEPA. Final action with respect to each property interest, including the final purchase price, will be submitted for approval to the Authority's Commissioners in a separate agenda item.

130-04-2012

In a memorandum dated April 16, 2012, **a Request for Authorization to Enter into Agreement with Bott, Inc. t/a Merri-Makers for Operation of the Robert B. Meyner Reception Center**, was approved.

Bott, Inc., trading as Merri-Makers ("Merri-Makers") has been operating the Robert B. Meyner Reception Center ("Reception Center") under its present contract since 2005. The Reception Center is on the grounds of the PNC Bank Arts Center in Holmdel, New Jersey. The current contract was approved by the Board of Commissioners in November 2005, and expired August 31, 2010. That contract has continued under its current terms on a month-to-month basis since its expiration.

Although the Authority and Merri-Makers have the option to extend the current contract for two additional five-year terms, staff has recommended that the contract be renegotiated with Merri-Makers to incorporate terms more favorable to the Authority. In particular, staff recommended that the Authority obtain a greater guaranteed annual rent (currently \$125,000), eliminate rent offsets, and reduce the Authority's sole responsibility for certain capital improvement costs.

Staff engaged in informal negotiations with Merri-Makers and have agreed upon the following terms for a new, five-year agreement: Merri-Makers shall pay to the Authority an annual license fee of 7% of gross revenues, with a minimum annual guarantee fee of \$130,000. Merri-Makers shall further be responsible for the first \$50,000 in capital improvements, which must be completed in the first three years of the agreement and are subject to the approval of the Executive Director. The new agreement shall not provide for any extensions.

Accordingly, it is requested that the Board of Commissioners delegate to the Executive Director the authority to execute an agreement with Merri-Makers pursuant to the terms set forth above. It is further recommended that the Commissioners authorize the Executive Director to execute any such other documents and take any such other actions as are deemed necessary to effectuate the intent of this authorization.

131-04-2012

In a memorandum dated April 13, 2012, **a Request for Authorization to Enter into a Memorandum of Agreement with the Motor Vehicle Commission Regarding Suspension of Motor Vehicle Registrations of Toll Violators, Account 10-950-00-445065, in an amount of \$35,000.00**, was approved.

Pursuant to N.J.S.A. 27:23-38, the Chief Administrator of the Motor Vehicle Commission ("MVC") has the authority to revoke or suspend any driver's license or motor vehicle registration certificate for a violation of any of the provisions of the Turnpike Authority Act, which includes the requirement that tolls be paid, N.J.S.A. 27:23-25, as well as the requirement that toll violators pay "a reasonable administrative fee established by the authority." N.J.S.A. 27:23-34.3.

The Authority has engaged in discussions with the MVC to request that the Chief Administrator exercise his authority to suspend the motor vehicle registration of any New Jersey motorist who owes the Authority \$1000 or more in unpaid tolls and related administrative fees

and has failed to respond favorably to the Authority’s repeated attempts at collection. MVC has agreed to exercise its authority to do so, in accordance with Administrative Procedure Act, N.J.S.A. 52:14B-1, et seq.

Staff believes that the MVC’s use of its registration suspension authority will significantly improve the Authority’s ability to collect toll revenue, especially from certain violators who routinely fail to pay their tolls, despite all current attempts at collection. MVC has requested that the Authority reimburse MVC for its costs incurred as a result of MVC’s use of its registration suspension authority on the Authority’s behalf, including the personnel costs involved in the processing of the significant amount of registration suspensions contemplated under this program. MVC has requested that the Authority enter into a Memorandum of Agreement in this regard. The Authority anticipates that the costs involved will be significantly less than the Executive Director’s delegated authority of \$35,000.

Accordingly, it is requested that the Board of Commissioners delegate to the Executive Director the authority to execute an MOA with MVC pursuant to the terms set forth above. It is further recommended that the Commissioners authorize the Executive Director to execute any such other documents and take any such other actions as are deemed necessary to effectuate the intent of this authorization.

132-04-2012

NOT USED

133-04-2012

In a memorandum dated April 3, 2012, Authorization to Settle Formal Workers’ Compensation Matter - Marvin Randle v. N.J. Turnpike Authority, was approved.

Petitioner Marvin Randle was a Parkway Division Toll Collector hired in February 1985 and retired effective April 1, 2011. This recommended settlement will resolve a formal Claim Petition filed in 2010 resulting from a work related injury which occurred on or about September 27, 2009.

The petitioner is represented by Levinson Axelrod located in Edison, NJ. The Authority is defended by Special Counsel Brett Halpern of Gluck Walrath, located in Trenton, NJ. The matter is venued in the district office of New Brunswick before Judge Virginia Dietrich.

Permanency evaluation on behalf of the petitioner was performed by Dr. Weiss who opined 60% permanent partial total disability of the body part injured. Permanency evaluation on behalf of the respondent was performed by Dr. Kenneth Peacock who opined 5% permanent partial total disability of the body part injured. Due to the medical findings regarding the injury, Judge Dietrich recommended a settlement value of 25% of permanent partial total, equating to \$35,310.00.

The Law Department has reviewed this matter and agrees with the recommendation of Special Counsel, the Authority’s third party workers’ compensation administrator and the Assistant Director, HR, Safety & Benefits. Authorization is therefore requested to allow Special Counsel to settle this matter for the sum of \$35,310.00.

This settlement will be payable under Account No. 10-870-405070.

134-04-2012

In a document dated April 12, 2012, Authorization to Approve Settlement in the Matter of Wade v. New Jersey State Police, et al., Federal District Court, New Jersey, Docket No. 06-3715, Account No. 653010, Project No. 04008022, wherein the Authority is

responsible for \$250,000, the Authority's insurance carrier is responsible for \$350,000, and the State of New Jersey will remit to the Plaintiff \$1,030,000, was approved.

This matter arises from an accident that occurred on August 17, 2004. Plaintiff, Gary Wade ("Wade") was traveling on the Garden State Parkway when he was stopped by New Jersey State Troopers for exceeding the speed limit. Mr. Wade indicated he had a weapon, did not identify himself as a municipal police officer and refused to exit the vehicle as requested by the Troopers. A struggle ensued where by Mr. Wade was forcibly exited from the vehicle and received one blow to the back when he refused to submit to the Troopers' orders.

Mr. Wade brought a civil rights lawsuit against the New Jersey State Police and the Troopers involved in the incident. Due to the facts of this matter, the Authority maintained a "no pay" position through the course of the lawsuit, including the jury trial.

The jury rendered a verdict of \$500,000 in compensatory damages and \$4 million in punitive damages. The punitive damage award was later reduced by the judge to \$2 million. The Authority filed an appeal. The New Jersey State Police agreed to assume responsibility for the punitive damage award.

The parties commenced to negotiate a settlement, and have agreed to settle the matter for \$1.63 million prior to appeal, allocated as follows: New Jersey State Police - \$1,030,000; Chartis, the Authority's insurer - \$350,000; and the Authority - \$250,000, (the limit of its self-insured retention).

Accordingly, the Law Department recommends that the Commissioners authorize full and final settlement of the matter, as set forth above, in an amount not to exceed \$1,630,000, allocated as indicated above. This settlement will conclude all claims by Plaintiff Wade against the State Police and Trooper Colaner in this matter. Authorization is also recommended to allow the Executive Director to take all such actions and to execute any and all documents, after review and approval by the Law Department and General Counsel, necessary to conclude this litigation.

On motion by Commissioner Becht and seconded by Vice Chairman Gravino, the Authority unanimously approved item number 126-04-2012 through 134-04-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ENGINEERING

Chief Engineer Richard Raczynski requested approval of item numbers 135-04-2012 through 147-04-2012.

Chairman Simpson asked Raczynski to discuss item 142-04-2012. Raczynski indicated that the Authority is developing a policy and guidelines for accelerated bridge construction. The Authority needs to replace several bridge decks on the Garden State Parkway. There are new and innovative methods being used around the country for different types of bridge replacements. The consultant will research all methods and propose the best methods for the Authority. Chairman Simpson asked Raczynski to report to the Board about the consultant's recommendations. Moved are the items as follows:

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AWARD OF CONTRACTS

135-04-2012

In a document dated April 4, 2012, a Recommendation to Award Contract No. T200.249, New Jersey Turnpike, to Crisdel Group, Inc. for Resurfacing Milepost 74 to 122, Maintenance Reserve Fund No. 03010002, Engineer's Estimate: \$7,804,125.00, in an amount of \$7,584,491.00, was approved.

This contract involves pavement removal and resurfacing with Superpave Hot Mix Asphalt Surface Course Pavement along Turnpike mainline roadways, ramps, shoulders and toll plazas along with other incidental work at various locations from Milepost 74 to 122 in Middlesex, Union, Essex, Hudson and Bergen Counties, New Jersey. All work is expected to be completed in 2012.

Five bid proposals were received on April 3, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$7,584,491.00, may be compared to the Engineer's Estimate in the amount of \$7,804,125.00. Crisdel Group, Inc. has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T200.249 be awarded to the low bidder, Crisdel Group, Inc. of South Plainfield, New Jersey, in the amount of \$7,584,491.00. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

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

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FINAL ACCEPTANCE

136-04-2012

In a document dated April 2, 2012, a Recommendation for Final Acceptance, Contract P100.079 to Joseph M. Sanzari, Inc. for Bridge Repairs and Resurfacing Milepost 0 to 126, Maintenance Reserve Fund No. 03020001, in an amount due to the contractor of \$203,639.48, was approved.

This contract involved replacing deteriorated concrete bridge deck slabs; repairing deck spalls; repairing and reconstructing deck joints; repairing headers; removing asphalt surfacing; replacing bridge barrier parapets; placing new membrane; resurfacing approach roadways and bridge decks; pavement striping; substructure repairs, emergency and routine bridge repairs under cost plus compensation, and other incidental work on various structures along the Garden State Parkway from Milepost 0 to 126 in Cape May, Atlantic, Burlington, Ocean, Monmouth, and Middlesex Counties, New Jersey. The contract was awarded December 2009 to the low bidder, Joseph M. Sanzari, Inc., 90 West Franklin Street, Hackensack, New Jersey in the total amount of \$5,190,349.50.

During the course of the contract, there were three Change Orders for a total decrease of \$344,385.54, adjusting the final total amount of this contract to \$4,845,963.96.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (16F) have been submitted to

the Law Department and approved as to correctness of form. Furthermore, the Law Department advises that there are no liens outstanding against the Contractor.

We concur and recommend that Contract P100.079 be accepted, and that final payment in the amount of \$203,639.48 be made to the Contractor.

137-04-2012

In a document dated April 10, 2012, **a Recommendation for Final Acceptance, Contract A300.110 to Agate Construction Co., Inc. for Toll Plaza Rehabilitation, Ten Year Capital Program Fund No. 39005013, in an amount Due to the Contractor of \$5,000.00,** was approved.

This contract involved widening the existing Garden State Parkway northbound exit ramp (Ramp NBX) at Interchange 150. The existing ramp is a single lane ramp and the widening will provide a two-lane exit ramp to facilitate dedicated right and left turn lanes onto Hoover Avenue (CR 651). The existing ramp lighting and under deck lighting will be upgraded and the existing traffic signal at the "T" intersection will be replaced. The improvements extend from Milepost 150.7 to 151.1 Bloomfield Township, Essex County, New Jersey. The contract was awarded on July 28, 2010 to the low bidder, New Prince Concrete Construction Co., Inc., 215 Ellen Terrace, Hackensack, New Jersey in the total amount of \$648,406.84.

During the course of the contract, there was one Change Order for a total increase of \$24,656.99 adjusting the final total amount of this contract to \$673,063.83.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (7F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Law Department advises that there are no liens outstanding against the Contractor.

We concur and recommend that Contract P300.172 be accepted, and that final payment in the amount of \$6,730.64 be made to the Contractor.

138-04-2012

In a document dated April 10, 2012, **a Recommendation for Final Acceptance, Contract T869.120.301 to J. Fletcher Creamer & Son, Inc. for the Interchange 6 to 9 Widening Program, Local Roadways Grading, Drainage, Paving and Utilities, Milepost 57.1 to 58.4 Township of Hamilton, Mercer County, Ten Year Capital Program Fund No. 39018001, an an amount due to the contractor of \$281,979.20,** was approved.

This contract involved Interchange 6 to 9 Widening Program, Local Roadways Grading, Drainage, Paving and Utilities, Milepost 57.1 to 58.4 in Hamilton Township, Mercer County, New Jersey. The contract was awarded October 2009 to the low bidder, J. Fletcher Creamer & Son, Inc., 101 E. Broadway, Hackensack, New Jersey, in the total amount of \$4,183,237.48.

During the course of the contract, there were three Change Orders for a total increase of \$1,456,346.48, adjusting the final total amount of this contract to \$5,639,583.96.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (17F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Law Department advises that there are no liens outstanding against the Contractor.

We concur and recommend that Contract T869.120.301 be accepted, and that final

payment in the amount of \$281,979.20 be made to the Contractor.

139-04-2012

In a document dated April 3, 2012, **a Recommendation for Final Acceptance, Contract T869.120.601 to A. Servidone Inc. and B. Anthony Construction Corp., JV for Interchange 6 to 9 Widening Program, Interchange 8 Grading, Drainage & Structures, Milepost 67.5 Township of East Windsor Mercer County, Ten Year Capital Program Fund No. 39018001, in an amount due to the contractor of \$50,000.00**, was approved.

This contract involved the construction of embankment, including wick drains and settlement monitoring, to allow settlement to occur in advance of the future paving/drainage/structure contracts. Demolition of three residential buildings is also required. In addition, construction of the relocated Milford Road Bridge is also included in this contract which will facilitate construction staging in later contracts. The project is located at Turnpike Milepost 67.5 in East Windsor, New Jersey. The contract was awarded April 2009 to the low bidder, A. Servidone Inc./B. Anthony Construction Corp., JV, 3170 Bordentown Avenue, Old Bridge, New Jersey in the total amount of \$10,484,233.60.

During the course of the contract, there were five Change Orders for a total increase of \$1,738,605.76, adjusting the final total amount of this contract to \$12,222,839.36.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (32F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Law Department advises that there are no liens outstanding against the Contractor.

We concur and recommend that Contract T869.120.601 be accepted, and that final payment in the amount of \$50,000.00 be made to the Contractor.

On motion by Commissioner Becht and seconded by Commissioner Diaz, the Authority unanimously approved items numbered 135-04-2012 through 139-04-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ORDER FOR PROFESSIONAL SERVICES (OPS)

140-04-2012

In a document dated April 10, 2012, **a Recommendation to Issue Order for Professional Services No. T3293, New Jersey Turnpike to Dewberry-Goodkind, Inc. for Design Services for Contract No. T100.184, Bridge Deck Reconstruction, Seismic Retrofit, PEOSHA Catwalk, Improvements, Miscellaneous Structural Improvements, Lighting Improvements, and Repainting, Structural Steel, Structure No. N2.01, Newark Bay Bridge, Milepost N 0.00 to N 6.00, Ten Year Capital Program Fund No. 39011025, Engineer's Estimate: \$8,410,000.00, in an amount of \$8,250,000.00**, was approved.

The work to be performed under the referenced Order for Professional Services (OPS) will provide for the design and development of contract documents for bridge deck reconstruction from Milepost N0.00 to N1.50 and repainting of the Newark Bay Bridge and main approach spans. Work shall also include miscellaneous catwalk, climbing aid (tie-offs) and PEOSHA

upgrades, structural steel repairs, tie-chord improvements, seismic retrofit, bearing replacement and other related work defined in the Scope of Services. Bridge deck repair and resurfacing of Zone 1 and 2 bridge structures on the Newark Bay-Hudson County Extension will also be included and completed under Contract No. T100.184.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 53 engineering firms were prequalified and eligible under Profile Codes: A094 - Bridges: Painting/Repainting Systems; A095 - Bridges: Deck Reconstruction; and A097 - Bridges: Seismic Retrofits. Eight firms submitted EOIs by the closing date of February 7, 2012.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking: 1) URS Corporation; 2) Dewberry-Goodkind, Inc.; and 3) Ammann & Whitney. These three firms were requested to submit Technical and sealed Fee Proposals. The Committee reviewed and evaluated each firm's Technical Proposal and final scoring resulted in Dewberry-Goodkind, Inc. being the highest technically ranked firm. The fee submitted has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. T3293 be issued to the firm of Dewberry-Goodkind, Inc. of Bloomfield, New Jersey not to exceed the amount of \$8,250,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.36, based on a 10% allowance for profit and an overhead rate of 114.5% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

141-04-2012

In a document dated April 12, 2012, **a Recommendation to Issue Order for Professional Services No. P3413, Garden State Parkway to Greenman-Pedersen, Inc. for Design Services for Contract No. P200.255, Garden State Parkway Widening Milepost 41 to 48, Ten Year Capital Program Fund No. 39028031, Engineer's Estimate: \$5,200,000.00, in an amount of \$4,200,000.00**, was approved.

The work to be performed under this OPS consists of professional services required for comprehensive final design services to implement the widening of the Garden State Parkway from two lanes to three lanes in both the northbound and southbound directions from Milepost 41 to 48. Work includes grading, draining, paving and structures within the contract limits.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 50 engineering firms were prequalified and eligible under Profile Codes: A090 – Bridges: New; A091 – Bridges: Widening and Modifications; and A250 – Fully Controlled Access Highways. Ten firms submitted EOIs by the closing date of January 25, 2012.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking: 1) Gannett Fleming; 2) Greenman-Pedersen, Inc.; and 3) Michael Baker Jr., Inc. These three firms were requested to submit Technical and sealed Fee Proposals. The Committee reviewed and evaluated each firm's Technical Proposal and final scoring resulted in Greenman-

Pedersen, Inc. being the highest technically ranked firm. The fee submitted has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. P3413 be issued to the firm of Greenman-Pedersen, Inc. of Lebanon, New Jersey not to exceed the amount of \$4,200,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.75, based on a 10% allowance for profit and an overhead rate of 150.7% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

142-04-2012

In a document dated April 11, 2012, **a Recommendation to Issue Order for Professional Services No. A3420, Garden State Parkway and New Jersey Turnpike, to Gannett Fleming, Inc. for Engineering Services for the Development of Policy and Guidelines for Accelerated Bridge Construction, 2008A Note Construction Fund No. 30000041, Engineer's Estimate: \$450,000.00, in an amount of \$454,400.00,** was approved.

This Order for Professional Services provides for the development of a policy and guideline document applicable to future bridge rehabilitation or replacement projects, which will define criteria for the use of Accelerated Bridge Construction for the New Jersey Turnpike Authority.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 49 engineering firms were prequalified and eligible under Profile Codes A090 – Bridges: New; A093 – Bridges: Deck Replacements and Rehabilitation; and A095 – Bridges: Deck Reconstruction. Six firms submitted EOIs by the closing date of March 22, 2012.

Subsequent to the scoring of EOIs by the Review Committee, Fee Proposals were requested from the top three firms. The firms in the order of ranking are: 1) Gannett Fleming, Inc., 2) Arora & Associates, P.C.; and 3) TranSystems Corporation. The fee submitted by Gannett Fleming, Inc. has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. A3420 be issued to the firm of Gannett Fleming, Inc. of South Plainfield, New Jersey, not to exceed the amount of \$454,400.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.80, based on a 10% allowance for profit and an overhead rate of 154.54% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

143-04-2012

In a document dated March 28, 2012, a Recommendation to Issue Order for Professional Services No. T3430, New Jersey Turnpike to HAKS Engineers for the Supervision of Construction Services for Contract No. T200.248, Resurfacing, Milepost 0 to 74 and Contract No. T200.249, Resurfacing, Milepost 74 to 122, Maintenance Reserve Fund No. 03010002, and Contract No. T200.261, Left Shoulder Restoration, Milepost 0 to 31, Ten Year Capital Program Fund No. 39002016, Engineer's Estimate: \$3,130,000.00, in an amount of \$3,065,000.00, was approved.

The work to be performed under the referenced Order for Professional Services will consist of providing supervision of construction services for the above listed three individual contracts to ensure that they are constructed in accordance with the Contract Plans and Specifications.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 55 engineering firms were prequalified and eligible under Profile Codes: B153 – Roadway Construction Inspection and B154 – Roadway Resurfacing Inspection. Four firms submitted EOIs by the closing date of February 1, 2012.

In accordance with the regulations for Complex projects, if only three or four EOIs have been deemed complete by the Authority, these firms shall receive the RFP and the Review Committee will not conduct an evaluation of the EOIs. These four firms were requested to submit Technical and sealed Fee Proposals. The Committee reviewed and evaluated each firm's Technical Proposal and final scoring resulted in the following order of ranking: 1) HAKS Engineers; 2) Greenman-Pedersen, Inc.; 3) KS Engineers, P.C.; and 4) Urban Engineers. Final scoring resulted in HAKS Engineers being the highest technically ranked firm. The fee submitted has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. T3430 be issued to the firm of HAKS Engineers of Iselin, New Jersey not to exceed the amount of \$3,065,000.00, allocated as follows: Fund 03010002 - \$1,600,000.00 in 2012 and \$435,000.00 in 2013 and Fund 39002016 - \$1,030,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.35 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

On motion by Treasurer DuPont and seconded by Commissioner Hodes, the Authority unanimously approved items numbered 140-04-2012 through 143-04-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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MISCELLANEOUS

144-04-2012

In a document dated April 4, 2012, a Recommendation to Execute Utility Order No. 1385-T New Jersey Turnpike to Verizon-NJ, Inc. for Contract No. T300.176, Interchange 9 Improvements, Township of East Brunswick, Middlesex County, Ten Year Capital Program Fund No. 39003035, Engineer's Estimate of \$720,000.00, in an amount of \$740,000.00, was approved.

The construction of the Interchange 9 improvements, under Contract T300.176, will require the removal and relocation of existing Verizon-NJ, Inc. fiber optic and copper cable communication facilities along the east and west sides of the Route 18 roadway. The Utility Order will reimburse Verizon-NJ, Inc. for the installation of new fiber optic and copper cables, splicing the new cables, the installation of new telephone manholes and poles, and the removal of existing infrastructure, as well as engineering support and inspection services. Completion of some of this utility work will be required in advance of the Authority's construction contract.

The cost of this Utility Order was provided by Verizon-NJ, Inc. and is based on the final improvements and known conditions at this time. The cost proposal was reviewed by the Engineering Department, is considered reasonable and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order No. 1385-T, not to exceed the amount of \$740,000.00. This contract was procured under the sole source procurement authorization of N.J.A.C. 19:9-2.2(d)1, promulgated under N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation.

On motion by Treasurer DuPont and seconded by Commissioner Pocino, the Authority unanimously approved item number 144-04-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

145-04-2012

In a document dated April 3, 2012, a Recommendation to Execute Utility Order No. 1388-P Garden State Parkway to Jersey Central Power & Light/a First Energy Company for Contract No. P300.198, Interchange 88 Improvements, Ten Year Capital Program Fund No. 39023029, Engineer's Estimate of \$800,000.00, in an amount of \$800,000.00, was approved.

A Utility Order is necessary to authorize Jersey Central Power & Light for the advance fabrication and delivery of 11 steel transmission poles that will be directly impacted by Contract No. P300.198 - Interchange 88 Improvements. The Authority will reimburse Jersey Central Power & Light for the cost of materials and delivery for this work. The advance fabrication is necessary to meet the anticipated installation schedule by the Authority's contractor.

The cost of this Utility Order was provided by Jersey Central Power & Light/a First Energy Co. and is based on the final improvements and known conditions at this time. The cost proposal was reviewed by the Engineering Department, is considered reasonable and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order No. 1388-P, not to exceed the amount of \$800,000.00. This contract was procured under the sole source procurement authorization of N.J.A.C. 19:9-2.2(d)1, promulgated under N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation.

146-04-2012

In a document dated April 3, 2012, a Recommendation to Execute Utility Order No.

1389-P Garden State Parkway to Jersey Central Power & Light/a First Energy Company for Contract No. P200.200, Mainline Widening for Shoulder Restoration, Milepost 90.5 to 93.5, Ten Year Capital Program Fund No. 39022023, Engineer's Estimate of \$600,000.00, in an amount of \$600,000.00, was approved.

A Utility Order is necessary to authorize Jersey Central Power & Light for the advance fabrication and delivery of nine steel transmission poles and one laminated pole that will be directly impacted by Contract No. P200.200 - Shoulder Restoration and Improvements, Milepost 90.5 to 93.5. The Authority will reimburse Jersey Central Power & Light for the cost of materials and delivery for this work. The advance fabrication is necessary to meet the anticipated installation schedule by the Authority's contractor.

The cost of this Utility Order was provided by Jersey Central Power & Light/a First Energy Co. and is based on the final improvements and known conditions at this time. The cost proposal was reviewed by the Engineering Department, is considered reasonable and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order No. 1389-P, not to exceed the amount of \$600,000.00. This contract was procured under the sole source procurement authorization of N.J.A.C. 19:9-2.2(d)1, promulgated under N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation.

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ACKNOWLEDGE REPORTS OF
ENGINEERING EXPENDITURES UNDER DELEGATED AUTHORITY

147-04-2012

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

- Construction Progress Report
- Change Order Summary
- Utility Order Report

On motion by Treasurer DuPont and seconded by Commissioner Hodes, the Authority unanimously approved items numbered 145-04-2012 through 146-04-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda. The Authority unanimously accepted the reports contained in item 147-04-2012 and received same for file.

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MAINTENANCE

Assistant Director of Maintenance Joseph Lentini requested approval of item number 148-04-2012. Moved is the items as follows:

148-04-2012

In a document dated April 12, 2012, **a Recommendation to Award Contract No. T500.240 to Benjamin R. Harvey Company, Inc. for Storage Building at the New Jersey Turnpike Southern Division, Maintenance District No. 2, Burlington County, General Reserve Fund No. 08010017, Estimate of \$841,702.50, in an amount of \$915,000.00,** was approved.

This contract involves the construction of one (1) storage building, at the New Jersey Turnpike Southern Division, Maintenance District No. 2 in Mount Laurel Township in Burlington County, New Jersey.

Ten (10) bid proposals were received on April 3, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$915,000.00, may be compared to the second low bid proposal in the amount of \$924,835.00. Benjamin R. Harvey Company, Inc. has not previously performed work for the Authority but is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T500.240 be awarded to the low bidder, Benjamin R. Harvey Company, Inc. of Ocean, New Jersey, in the amount of \$915,000.00. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

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

On motion by Vice Chairman Gravino and seconded by Commissioner Diaz, the Authority unanimously approved item number 148-04-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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PURCHASING

Director of Purchasing Andrea Ward requested approval of item numbers 149-04-2012 through 165-04-2012.

Chairman Simpson requested that ED Hakim comment on item 151-04-2012, which is the item related to today's public speakers, who spoke about the soap for the vehicle wash facilities. ED Hakim stated that the Authority is rejecting the sole bid received based on the fact that it did not meet the technical specifications in the bid. The Authority will review its bid specifications and test alternative soaps. Commissioner DuPont stated that if other products are more effective and are less harmful to the environment, the Authority should explore alternative products. Moved as a group those items are as follows:

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PUBLIC BIDS SOLICITATIONS

149-04-2012

In a document dated April 13, 2012, **a Recommendation for Crack Sealing Materials to Cimline, Inc., RM-91113, Budget Code: 01 010 520 431010, Estimate \$450,000.00, in an amount of \$243,000.00,** was approved.

Authorization is requested to award a one-year contract for Crack Seal Materials to repair both asphalt and concrete on both Roadways. Bidders were required to quote unit and total prices for approximately 450,000 pounds of materials. The bid was fully advertised and the five vendors listed in the Authority's database for the referenced commodity were notified of the procurement. On March 22, 2012, two bids were received. Unit prices can be obtained from the

Purchasing Department. Total bid results are as follows:

	<u>Total Price</u>
Cimline, Inc., Waterford, NY	\$243,000.00
Crafco, Inc., Chandler, AZ	\$246,060.00
Department Estimate: \$450,000.00	

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award a one year contract to Cimline, Inc. in a total amount not to exceed \$243,000.00, subject to funding availability at the time of ordering.

150-04-2012

In a document dated April 11, 2012, **a Recommendation for the Rejection of Bids and Re-Advertisement of Contract Parts for Repairing and Cleaning Toll Equipment, RM-91116, Budget Code: 00 010 600 428900, Estimate: \$50,000.00**, was approved.

Authorization is requested to reject and re-advertise a one-year contract for parts for the repair and cleaning of toll equipment. Bidders were required to quote a unit and total prices for various specific parts, and well as a discount off manufacturer's list prices for additional miscellaneous parts. The bid was fully advertised, and the vendors listed in the Authority's database for the referenced commodity were notified of the procurement. On April 11, 2012, one bid was received. The sole bidder failed to include a quote for line item "21"(percentage off of miscellaneous parts) as stated on Page 5 in the specifications. "Bidders must supply a price for every item listed. Bids not having a price in all listed items may be rejected." Therefore, rejection of the sole bid and re-advertisement of this contract is recommended.

The contract was publicly advertised and procured in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

Accordingly, authorization is requested to reject the sole bid proposal received from Route Electronics 22, Mountainside, NJ and rebid the contract with revised specifications.

151-04-2012

In a document dated April 13, 2012, **a Recommendation for the Rejection of Bids and Re-Advertisement of Contract "Reclaim Compatible" Soaps for Vehicle Wash Facilities, RM-89616, Budget Code: 010 01 580 423010, Estimate: \$74,000.00**, was approved.

The Maintenance Department requisitioned a two-year contract for two vehicle wash facilities on the Authority's roadways. The bid solicitation required the use of "reclaim compatible" soap products, which are used in power wash systems to recycle the water, thus reducing water usage. In addition, the product has to be environmentally- friendly.

Bidders were required to quote on 126 drum (55 gallons) of soap and also provide discount off the Manufacturer's List Price for miscellaneous items. The bid was fully advertised and the 20 vendors listed in the Authority's website were notified of the procurement. On February 22, 2012, a sole bid was received from Dave's Cleaning Service, Inc. d/b/a General Chemical Supply, Maple Shade NJ. This bidder proposed an alternate product than specified. After reviewing the sole proposal, the Maintenance Department realized the technical

specifications did not include a mechanism to properly evaluate an alternate "reclaim compatible" soap product. In addition, given the strict environmental requirements with respect to the discharges from commercial vehicle wash facilities Maintenance staff believes that it is prudent to evaluate any alternate products in the proper testing environment before permitting such products in the Authority's newly constructed vehicle wash facilities. Maintenance staff has to identify the appropriate third-party testing facility for such environmental evaluation. The Law Department reviewed this procurement and recommends that the specifications be revised to require proper testing.

The contract was publicly advertised and procured in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2 promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

Accordingly, authorization is requested to reject the sole bid proposal received from Dave's Cleaning Service, Inc. d/b/a General Chemical Supply, Maple Shade, NJ and rebid the contract with revised specifications.

152-04-2012

In a document dated April 12, 2012, a Recommendation for Traffic Paint to Ennis Paint, Inc., RM-91479, Budget Code: 01 010 520 431010, Estimate: \$100,000.00, in an amount of \$119,830.00, was approved.

Authorization is requested to award a contract for waterborne traffic paint for both roadways. Bidders were required to quote unit and bid prices for 12,500 gallons of yellow, white, blue and black paints to be delivered in various sized pails. The bid was fully advertised and the five (5) vendors listed in the Authority's database for the referenced commodity were notified of the procurement. On March 29, 2012, two bids were received. Unit prices can be obtained from the Purchasing Department. Total bid results are as follows:

	<u>Total Price</u>
Ennis Paint, Inc., Ennis, TX	\$119,830.00
The Sherwin-Williams Co., Manchester MA	\$127,080.00
Department Estimate: \$100,000.00	

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award a one year contract to Ennis Paint, Inc., in a total amount not to exceed \$119,830.00, subject to funding availability at the time of ordering.

153-04-2012

In a document dated April 13, 2012, a Recommendation for Disposal of Sanitary Waste to McGovern Environmental, RM-90609, Budget Code: 00 040 850 650010 04010019, Estimate: \$270,000.00, in an amount of \$182,350.00, was approved.

Authorization is requested to award a two-year contract for removal and transport of sanitary waste from the Authority's septic systems and sludge tanks, as well as restaurant grease trap oil and grease, to a properly licensed treatment facility. Additionally, the contractor shall provide pressurized water jet cleaning services as requested. Bidders were required to bid an hourly rate for 232 hours of jetting service and demurrage; per gallon rates for the pumping of an

estimated 450,000 gallons of septic material and 250,000 gallons of grease and oil; and unit prices for specific “call-out” services such as emergency and smaller disposal events . The bid was fully advertised and the 10 vendors listed in the Authority’s database for the referenced commodity were notified of the procurement. Unit prices can be obtained from the Purchasing Department. On April 4, 2012, three bids were received as follows:

	<u>Total Price</u>
McGovern Environmental, Eagle, PA	\$182,350.00
Russell Reid Waste Hauling and Disposal Service Co., Inc., Keasbey, NJ	\$226,600.00
Accurate Waste Removal Services, Inc., Lake Hopatcong, NJ	\$288,260.00
Department Estimate: \$232,000.00	

Given that the low bid amount was significantly below the Departmental Estimate, the Authority conducted a “Sanity Hearing” with personnel representing McGovern Environmental on April 9, 2012. (The Departmental Estimated was based on unit prices from the existing contract.) Based on that Hearing, Engineering Staff concluded that McGovern Environmental has the experience and capability to perform the contract work at the bid prices.

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority’s enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award a two-year contract to McGovern Environmental of Eagle, PA. in a total amount not to exceed \$182,350.00, subject to funding availability at the time of ordering.

154-04-2012

In a document dated April 11, 2012, **a Recommendation for Hydraulic Shear to Worldwide Machine Tool, LLC, R-91454, Budget Code: 00 080 540 156999 08007021, Estimate: \$70,000.00, in an amount of \$69,900.00,** was approved.

Authorization is requested to award a contract for a new hydraulic shear to replace the existing older model for the Sign Shop Department. The new model has added functionality along with enhanced safety features compared to our current shear. The older model shear has also exceeded its life expectancy. The bid was fully advertised and the six (6) vendors listed in the Authority’s database for the referenced commodity were notified of the procurement. On March 29, 2012, one bid was received as follows:

<u>Bidder</u>	<u>Total Price</u>
Worldwide Machine Tool, LLC, Lewis Center, OH	\$69,900.00
Department Estimate: \$70,000.00	

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority’s enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award a contract to Worldwide Machine Tool, LLC in a total amount not to exceed \$69,900.00.

155-04-2012

In a document dated April 13, 2012, **a Recommendation for ½ Ton Extended Cab 4-wheel Drive Pickup Trucks to Miller Ford Sales, R-91499, Budget Code: 00 040 540 650080 04008033, Estimate: \$696,000.00, in an amount of \$678,792.00,** was approved.

Authorization is requested to award a contract for twenty-four (24) Half-Ton Extended Cab 4-wheel Drive Pick-up Trucks. Under this contract, the successful bidder will provide vehicles that will replace existing aging fleet for both roadways. The bid was fully advertised and the eight (8) vendors listed in the Authority's database for the referenced commodity were notified of the procurement. On April 3, 2012, bids were received as follows:

<u>Bidder</u>	<u>Total Price</u>
Miller Ford Sales, Lumberton, NJ	\$ 678,792.00*
Mall Chevrolet, Cherry Hill, NJ	\$ 738,240.00
Beyer Bros. Corp., Fairview, NJ	\$ 760,992.00

Department Estimate: \$700,000.00

* Miller Ford Sales took a few exceptions to the technical specifications which exceptions were reviewed and deemed minor and acceptable to the Maintenance Department.

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award a contract for 24 Extended Cab Pick-up Trucks to Miller Ford Sales, Lumberton, NJ in a total amount not to exceed \$678,792.00.

156-04-2012

In a document dated April 13, 2012, **a Recommendation for ½ Ton Conventional Cab 2-wheel Drive Pickup Trucks to Miller Ford Sales, R-91504, Budget Code: 00 040 540 650080 04008033, Estimate: \$240,000.00, in an amount of \$227,330.00,** was approved.

Authorization is requested to award a contract for the purchase of (10) Conventional Cab 2-Wheel Drive Pick-up trucks that will replace existing fleet used primarily for liter patrol. Bidders were required to quote unit and total prices. These are replacement units and the older models will be sold at surplus if feasible. The bid was fully advertised and the six (6) vendors listed in the Authority's database for the referenced commodity were notified of the procurement. On April 3, 2012, three bids were received as follows:

<u>Bidder</u>	<u>Total Price</u>
Miller Ford Sales, Lumberton, NJ	\$ 227,330.00*
Mall Chevrolet, Cherry Hill, NJ	\$ 238,400.00
Beyer Bros. Corp., Fairview, NJ	\$ 252,020.00

Department Estimate: \$240,000.00

* Miller Ford Sales took a few exceptions to the technical specifications which were reviewed and deemed minor and acceptable to the Maintenance Department.

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also

contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same. Maintenance Staff has reviewed the bid and found the price to be fair, reasonable and within budget.

Accordingly, authorization is requested to award a contract to Miller Ford Sales, of Lumberton, NJ in a total amount not to exceed \$ 227,330.00.

157-04-2012

In a document dated April 13, 2012, **a Recommendation for 36" Self- Propelled Mowers to Montague Tool and Supply Co., Inc., R-90974, Budget Code: 00 040 540 650080 04008033, Estimate: \$56,000.00, in an amount of \$38,486.00,** was approved.

Authorization is requested to award a contract to provide fourteen 36 inch walk-behind self-propelled mowers to replace older models that have exceeded their life expectancy. These mowers are used by the Maintenance Department for mowing areas of the both roadways, where a tractor/flail mowing system cannot fit. Bidders were required to quote unit and total prices for the units. These are replacement units and the older models will be sold at surplus if feasible. The bid was fully advertised and the six (6) vendors listed in the Authority's database for the referenced commodity were notified of the procurement. On March 29, 2012, bids were received as follows:

<u>Bidder</u>	<u>Unit Price</u>	<u>Total Price</u>
Montague Tool and Supply Co., Branchville, NJ	\$2,749.00	\$38,486.00
Cherry Valley Tractor Sales, Marlton, NJ	\$2,921.25	\$40,897.50
Peach County Tractor, Inc., Mullica Hill, NJ	\$3,089.00	\$43,246.00
Storr Tractor Company, Branchburg, NJ	\$3,697.00	\$51,758.00
Department Estimate: \$56,000.00		

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same. Maintenance Staff has reviewed the bid and found the price to be fair, reasonable and within budget.

Accordingly, authorization is requested to award a contract to Montague Tool and Supply Company in a total amount not to exceed \$38,486.00.

158-04-2012

In a document dated April 13, 2012, **a Recommendation for 88" Flail Mowers to Peach County Tractor, Inc., R-90984, Budget Code: 00 040 540 650080 04008033, Estimate: \$135,000.00, in an amount of \$89,388.00,** was approved.

Authorization is requested to award a contract for eighteen 88-inch flail mowers to replace older mowers that have far exceeded their life expectancy. The flail mowers are used by the Maintenance Department for mowing the roadways (main lines) including larger grass portions in the service locations. They are mounted to the rear of tractors and are hydraulically driven by the tractor to perform their functions effectively and efficiently. Bidders were required to quote unit and total prices. These are replacement units and the older models will be sold at surplus if feasible. The bid was fully advertised and the six (6) vendors listed in the Authority's database for the referenced commodity were notified of the procurement. On March 29, 2012,

bids were received as follows:

<u>Bidder</u>	<u>Unit Price</u>	<u>Total Price</u>
Peach County Tractor, Inc., Mullica Hill, NJ	\$ 4,966.00	\$ 89,388.00
Cammps Hardware and Lawn Products, Inc.	\$ 5,803.00	\$104,454.00
Storr Tractor Company, Branchburg, NJ	\$ 7,513.00	\$135,234.00
Cherry Valley Tractor Sales, Marlton, NJ	\$ 7,645.26	\$137,614.68
Trius, Inc., Bohemia, NY	\$ 9,084.00	\$163,512.00

Department Estimate: \$135,000.00

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same. Maintenance Staff has reviewed the bid and found the price to be fair, reasonable and within budget.

Accordingly, authorization is requested to award a contract to Peach County Tractor, Inc. in a total amount not to exceed \$89,388.00.

159-04-2012

In a document dated April 11, 2012, a Recommendation for Safety and First Aid Supplies to Duraware Glove and Safety Co., Inc., Contract No. 1154-2, RM-91983, Budget Code: 010 220020, in an Authorized Amount of \$51,000.00, an Amount Requested of \$15,500.00, for a New Authorized Amount of \$66,500.00, was approved.

In April 2009, the Authority awarded a contract to Duraware Glove and Safety Co., Inc. to supply Safety and First- Aid Supplies. This contract is utilized primarily by the Human Resources Department for the supply of items such as bandages, cold packs, eye wash, safety glasses and face shields for Authority personnel. The Inventory Division has requested that Contract No. 1154-2 be increased by \$15,500.00 as the authorized amount has been depleted. In addition, it is also requested to extend the contract an additional three months through August 31, 2012 in order to allow sufficient time to prepare specifications for a new contract. This contract is in its second year extension and scheduled to expire on May 31, 2012.

This contract was publicly bid in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2 and Executive Order 37 (Corzine 2006).

Accordingly, approval is requested to extend Contract No. 1154-2 for an additional three months and increase the authorized amount by \$15,500.00. This will bring the total authorized amount to \$66,500.00, subject to funding availability at the time of order.

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STATE CONTRACTS

160-04-2012

In a document dated April 13, 2012, a Recommendation for Touch Screen Terminals to Howard Industries Inc., R-91970, State Contract No. 70264, expiring 8/31/14, Budget Code 040 00 826 650070 04028038, in an amount of \$42,060.00, was approved.

The Electronic Toll Collection Department requisitioned thirty (30) touch screen terminals for use in the Garden State Parkway toll lanes. The Authority's Terminal Replacement Project began in 2008. The goal of the Project is to maintain the integrity of the Authority's toll collection system by replacing the existing toll lane touch screen terminals with modern, more reliable

terminals. The current toll lane touch screens were installed at the advent of E-ZPass and consequently are at the end of their useful lives. In addition, obtaining replacement parts for the current touch screens is difficult due to the age of the current screens. The replaced terminals, however, will be used as spares for existing touch screen terminals on New Jersey Turnpike toll lanes.

This contract will be procured in accordance with N.J.S.A. 27:23:6-1 and N.J.A.C. 19:9-2.5(a), which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. This contract will be procured through State Contract No. 70258 which expires August 31, 2014.

Accordingly, authorization is requested to award the referenced State Contract to Howard Industries Inc. in the amount not to exceed \$42,060.00.

161-04-2012

In a document dated April 13, 2012, **a Recommendation for ACTUATE RENEWAL 2012-2013 to Dell Marketing LP, R-90581, Budget Code: 010 00 833 121020, State Contract No. 77003-ITS42, in an amount of \$98,932.13**, was approved.

The Electronic Toll Collection Department requisitioned support for the annual renewal of Actuate Maintenance Renewal Contract. Actuate Software is a tool extensively used by the Electronic Toll Collection Department to create on-demand and pre-generated reports for users. These tools minimize the server and database resource loads resulting from large monthly/yearly report generation as well as allowing instantaneous access. Furthermore, renewing the contract at this time eliminates the additional 80% cost to upgrade to newer versions of Actuate software as they become available.

This contract will be procured in accordance with N.J.S.A. 27:23:6-1 and N.J.A.C. 19:9-2.5(a), which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. This State Contract No. 77003 is valid until June 30, 2015.

Accordingly, authorization is requested to award the referenced contract to Dell Marketing in the amount of \$98,932.13.

162-04-2012

In a document dated April 13, 2012, **a Recommendation for HP Computer Hardware to Hewlett Packard Corporation, R-92569, Budget Code: 010 00 833 480030, State Contract No. 70262, in an amount of \$130,435.75**, was approved.

The Technology and Administrative Services Department has requisitioned a contract for computer hardware components for use throughout the Authority. Under this contract, Hewlett Packard Company will provide 35 notebook computers, 55 printers, five print servers and 24 monitors, each with 5-year maintenance and support services. These items are to fulfill departmental requests for computer hardware, as well as the annual "Computer Refresh" program for the entire Authority. Obsolete or broken equipment replaced by this procurement will be returned to a centralized Turnpike facility. Useful parts or subsystems will be placed into a spare part inventory for future use. The remaining equipment is periodically delivered to a Turnpike facility in Holmdel where it is consolidated and stored for removal by a licensed recycling contractor.

Under New Jersey State Contract No. 70262, the Authority can purchase the required components from Hewlett Packard Corporation. This State Contract is valid until August 31, 2014. Based upon current anticipated needs, the TAS Department requests that this contract be authorized in an amount not to exceed \$130,435.75.

This contract will be procured in accordance with N.J.S.A. 27:23:6-1 and N.J.A.C. 19:9-2.5(a), which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award the referenced contract to Hewlett Packard Corporation in the amount of \$130,435.75.

163-04-2012

In a document dated April 13, 2012, **a Recommendation for Heating, Ventilation, Air Conditioning (HVAC) Repair Parts to: Industrial Controls Dist LLC, RM 92145 in an amount of \$25,000.00; Z&Z Supply dba Johnstone Supply, RM 92147, in an amount of \$75,000.00; and Charles F. Connelly, RM 92149, in an amount of \$30,000.00, Budget Codes: 01/02 010 585 428050, State Contract Nos. 81040, 81051, 81038, Expiring 2/28/14, for a total cost of \$130,000.00,** was approved.

Authorization is requested to award three contracts to Industrial Controls Dist., LLC, Johnstone Supply and Charles F. Connelly for the supply of parts to repair, replace, and maintain the Authority's HVAC systems in the Northern, Central and Southern regions on both roadways. All three Vendors will supply items that include but are not limited to compressors, fan motors, thermostats, relays and fan belts,

These contracts will be procured in accordance with N.J.S.A. 27:23:6-1 and N.J.A.C. 19:9-2.5(a), which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. These State Contracts are all valid through February 28, 2014.

Accordingly, authorization is requested to award contracts to: 1) Industrial Controls Dist. LLC (State Contract No. 81040) for the Southern region in an amount not to exceed \$25,000, 2) Z&Z Supply dba Johnstone Supply (State Contract No. 81051) for the Central region in an amount not to exceed \$75,000, and 3) Charles F. Connelly (State Contract No. 81039) for the Northern region in an amount not to exceed \$30,000, all subject to funding availability at the time of ordering.

164-04-2012

In a document dated April 13, 2012, **a Recommendation for Tree Trimming/Removal Services to Downes Tree Service Inc., Contract Nos. 1560, 1561, 1562, 1563, RM 92463, 92464, 92467 and 92470, Budget Codes: 00 040 520 650010 04008030, the Current Authorized Amount is \$1,250,000.00, a Requested Amount of \$ 250,000.00, for a New Authorized Amount of \$1,500,000.00,** was approved.

The Maintenance Department has requested increases to the above-referenced contracts with Downes Tree Service, Inc. The modifications are needed to facilitate the Authority's 2012 planned construction projects that require clear zone and tree removal services. In addition, unanticipated tree removal services were required in responses to Hurricane Irene which caused extensive tree damage and the October 2011 snow storm that resulted in many trees being compromised and had to be removed. These two events required the Authority to utilize the tree removal contractor beyond the authorized amounts for each respective contract.

These contracts were procured in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

Accordingly, authorization is requested to increase the authorized total amounts of the referenced contracts with Downes Tree Service Inc. as stated herein, subject to funding availability at the time of service.

165-04-2012

In a document dated April 13, 2012, **a Recommendation for DATA DOMAIN Storage Backup Units to Promedia Technology Services, Inc., R-92201, Budget Code: 080 00 833 156555 08007042, WCSA State Computer Contract #75580, Expiring 8/31/14, in an amount of \$498,694.00,** was approved.

The Technology and Administrative Services Department ("TAS") has requisitioned 14 line items of Data Domain Storage Units to back-up the Authority's business data. According to TAS, the existing units do not have enough capacity to accommodate the new e-mail servers, file-servers, IBM servers, the Authority's financial accounting system servers as well as the content indexers required by the Law Department for litigation compliance. The requested procurement provides both the needed capacity for current needs, and the expansion capability to address future needs. More than one State Contract is available for the required equipment and the requesting Department obtained 2 quotes from authorized State Contract vendors for comparison purposes. The two quotes received are as follows:

Promedia Technology Services Inc.	\$498,694.00
EMC Corporation, Camp Hill, PA	\$506,628.00

The hardware and service quoted on both quotes are identical and include two DD860 controllers, two 30T data shelves for each controller; 3 years system support, and installation and data replication services. Promedia's pricing, however, reflects additional discounts for the trade-in of the Authority's old devices.

This contract will be procured in accordance with N.J.S.A. 27:23:6-1 and N.J.A.C. 19:9-2.5(a), which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. This referenced State Contract No. 75580 awarded to Promedia Technology Services Inc. is valid until August 31, 2014.

Accordingly, authorization is requested to award the referenced contract to Promedia Technology Services Inc. in a total amount not to exceed \$498,694.00.

On motion by Treasurer DuPont and seconded by Commissioner Diaz, the Authority unanimously approved items numbered 149-04-2012 through 165-04-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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GENERAL BUSINESS

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ELECTRONIC TOLL COLLECTION

Director of ETC Dennis Switaj requested approval of item numbers 166-04-2012 through 168-04-2012. Moved is the item as follows:

166-04-2012

In a document dated April 19, 2012, **a Recommendation for Authorization to conduct a Tag Swap Program. Requesting the issuance of Supplement "V" to ACS State and Local Solutions to administer the Tag Swap Program, R-92376, Budget Code: 08007002, in an**

amount of \$7,630,000.00, was approved.

Authorization is requested to issue Supplement "V" to ACS State and Local Solutions ("ACS") in an amount not to exceed \$7.63 million for the administration of an E-ZPass Tag Swap Program ("Program") over the next two (2) years.

This supplement has been negotiated to cover the costs of administering all aspects of the needed Tag Swap Program. These services include account management for the tag swap, preparation and dissemination of all correspondence and notices to the customer associated with the swap, issuing tag swap kits (new tag(s), customer letter, dual lock tape, read prevent bag, instruction sheet, return postage paid envelope), accepting, processing and disposing of returned tags.

Under the proposed Program, the tags that meet the criteria to be swapped will be identified and, ACS as Administrator, will send an introductory letter to the customer informing them about the Program. Ten days after the introductory letter the customer will receive a tag swap kit which includes instructions, the new tags and a return post-paid envelope to return the old tags. A postcard reminding customers to return their old tags will be sent to customers 60 days after the new tags are sent, if tags have not yet been returned.

The cost of the Program is comprised of two parts: 1) the purchase of 1.56 million tags from Kapsch at a cost not to exceed \$14.47 million and 2) an amendment to the ACS Agreement increasing the not to exceed amount to be paid to ACS by \$7.63 million to compensate for ACS's services as the Program Administrator, at a cost of \$4.89 per tag swapped.

Under the 2006/2007 tag swap program, the Authority swapped 935,000 tags at a total cost of \$27.9 million. In comparison the 2012/2013 Program will provide for 1.56 million tags being swapped at a total cost of \$22.1 million. The reduction is the result of lower per tag cost (e.g. interior tag \$8.90 vs. \$20.95) and lower administrative costs (\$4.89 per tag vs. \$4.96 per tag).

The Program will commence late 3rd/early 4th quarter 2012 and will conclude in December 2013. The 2012 budget has \$4,538,000 to start the Program. In 2012, the Authority will purchase 345,050 tags at a cost of \$3,217,105 and we estimate that approximately 270,000 tags will be swapped in 2012 at an administrative cost of \$1,320,300. Subject to funding in 2013, the Authority estimates that it will purchase the remaining 1,214,950 tags at a cost not to exceed \$11,248,490 and that all remaining potential tags will be swapped at an administrative cost not to exceed \$6,308,100.

Authorization is hereby requested to issue Supplement "V" to ACS in an amount not to exceed \$7.63 million, in accordance with the terms set forth above. The Tag Swap Program should be charged to account 08007002.

167-04-2012

In a document dated April 17, 2012, a Recommendation for Authorization to purchase 1.5M E-ZPass Tags from Kapsch TrafficCom IVHS, R-92365, Budget Code: 08007002, in an amount of \$14,470,000.00, was approved.

Authorization is requested to issue an order to Kapsch TrafficCom IVHS (formerly Mark IV IVHS, Inc.) in an amount not to exceed \$14.47 million for the supply of the necessary transponders for use in a Tag Swap Program ("Program") under the current contract, a competitively solicited procurement, over the next two (2) years.

The New Jersey Turnpike Authority began purchasing E-ZPass transponders (also known as "tags") in June 1998 as part of the implementation of an electronic toll collection system under the E-ZPass service mark. Under the Authority's current Kapsch contract approved by the Authority at the January 31, 2012 Commission Meeting for a ten (10) year term, the cost of an interior tag is \$8.90 and the cost of an exterior tag is \$14.99.

Kapsch has produced several different models of tags whose batteries will be approaching their useful life (8.5 years). The Authority conducted a tag swap in 2006/2007 and replaced almost 1 million tags. Removing these older tags from service would increase the Authority's revenue capture, reduce our operating costs and maintain good customer service.

The cost of the Program is comprised of two parts: 1) the purchase of 1.56 million tags from Kapsch at a cost not to exceed \$14.47 million and 2) an amendment to the ACS Agreement increasing the not to exceed amount to be paid to ACS by \$7.63 million to compensate for ACS's services as the Program Administrator, at a cost of \$4.89 per tag swapped.

The Program will commence late 3rd/early 4th quarter 2012 and will conclude in December 2013. In 2012, the Authority will purchase 345,050 tags at a cost of \$3,217,105. Subject to funding in 2013, the Authority estimates that it will purchase the remaining 1,214,950 tags at a cost not to exceed \$11,248,490..

Authorization is hereby requested to issue an order to Kapsch TrafficCom IVHS for 1.56 million tags in an amount not to exceed \$14.47 million, in accordance with the terms set forth above. The Tag Swap Program should be charged to account 08007002.

168-04-2012

In a document dated April 12, 2012, a Recommendation for Authorization to Issue Supplement "U" to ACS State and Local Solutions, Inc. for an ORT Camera and Zone Controller Project for ORT Plazas on the Garden State Parkway, R-92220, Budget Code: 08007040, in an amount of \$1,069,000.00, was approved.

At the December 2002 Commission Meeting, a Professional Services Contract Agreement ("Agreement") with ACS State and Local Solutions, Inc. ("ACS") was approved by the Authority's Board of Commissioners. Authorization is presently requested to issue Supplement "U" to the Agreement to provide for an ORT Camera and Zone Controller Project for ORT Plazas on the Garden State Parkway.

This Project will replace the current ORT lane violation imaging computers ("VIC") and cameras with zone controllers and EN-206 network cameras. The ORT lane software at the plazas will be upgraded to the latest software version and will provide the full functionality of the Express E-ZPass mode in a free flowing lane environment. This project will ensure design and equipment consistency for the ORT lanes on the Parkway. This work will be performed by ACS through the issuance of a supplement to the Professional Services Agreement. This work is being performed by ACS as the ORT system utilized by the Authority encompasses ACS proprietary design and ACS developed software. This upgrade represents one component of the ACS designed ORT system and cannot be bifurcated without jeopardizing the integrity of the overall system.

Authorization is hereby requested to issue Supplement "U" to ACS for an ORT Camera and Zone Controller Project at a cost of \$1,069,000. This Supplement should be charged to account 08007040.

On motion by Commissioner Pocino and seconded by Commissioner Becht the Authority unanimously approved item numbers 166-04-2012 through 168-04-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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FINANCE

Chief Financial Officer Donna Manuelli requested approval of item number 169-04-2012.

Moved is the item as follows:

169-04-2012

Chief Financial Officer Donna Manuelli presented the **Financial Summary** for the three (3) month ended March 31, 2012.

On motion by Treasurer DuPont and seconded by Commissioner Becht the Authority unanimously approved item number 169-04-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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OPERATIONS

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Director of Operations Sean Hill requested approval of item number 170-04-2012. Moved the item as follows:

170-04-2012

Director of Operations Sean Hill requested acceptance of the **Resume of All Fatal Accidents** for the Garden State Parkway and New Jersey Turnpike: Period 01/01/2012 through 03/31/2012; both with 2011-2012 Yearly Comparisons through March, 2012.

On motion by Commissioner Hodes and seconded by Commissioner Pocino, the Authority unanimously accepted the reports contained in item 170-04-2012 and received same for file.

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STATE POLICE

ED Hakim addressed Major Pamela Elliott's items in her absence. Requested for approval is item number 171-04-2012. At the March meeting, Chairman Simpson requested that a reminder be sent out to all contractors working for the Authority that they comply with all State and Federal law regarding vehicle weight, loads, etc. The advisory was mailed on April 13, 2012 under Major Elliott's signature. The Engineering Department coordinated with State Police to ensure the advisory was delivered to all contractors. As part of a coordinated statewide Work Zone Safety Week initiative, the Authority is displaying the phrase "Work Smart Arrive Alive" on its VMS boards. Moved is the item as follows:

171-04-2012

Executive Director Hakim requested acceptance of the New Jersey State Police Troop D Activity Reports, For March, 2012, with 2011 – 2012 Yearly Comparisons.

On motion by Commissioner Pocino and seconded by Treasurer DuPont, the Authority unanimously accepted the reports contained in item 171-04-2012 and received same for file.

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EXECUTIVE SESSION

There was no Executive Session held.

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PRESENTATIONS

Chief Engineer Raczynski provided an update regarding the Authority's \$7 billion Capital Program. He highlighted the progress of the Turnpike and Parkway widenings, the major bridge re-decking projects, and major interchange improvement projects.

Commissioner DuPont stated that the Capital Program is beneficial to motorists but it is also keeping the economy moving by creating thousands of jobs. He commended all of the Authority's employees for moving these projects forward.

ED Hakim further noted that the advancement of the Capital Program happens only with cooperation of all departments.

Chairman Simpson stated that New Jersey is one of the few states that is rebuilding for the future on a grand scale. Time is money and these projects save money because motorists spend less time in traffic as congestion is reduced.

Commissioner Becht commented that he had attended the NJ Alliance for Action event last week. More than 400 people from the contractor industry attended. The Authority was referred to as "the savior of the industry". It is important for people to understand what the Authority is doing for the economy.

Commissioner Pocino stated that the Authority truly is the savior of the construction industry. The construction on both the Turnpike and Parkway has kept the industry alive.

Assistant Director of Maintenance Joe Lentini provided an overview of the Maintenance Department's Green Initiative Programs. The goal is to implement environmentally sustainability projects. The Maintenance Department is beginning a vegetative management pilot program on the Parkway. The Maintenance Department will reduce the amount of grass cutting and allow areas to return to their natural state and/or add new wild flower areas. A safe clear zone area will be maintained at all times.

The Authority will replace existing lighting fixtures at Interchanges 13A and 15X with LED lights, which use less energy, provide better lighting, have longer useful lives, and reduce maintenance costs. Engineering will also be incorporating LED lighting in the widenings and

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bridge re-decking projects. The use of LED lights reduce construction costs as LED lights provide more lighting thereby requiring fewer fixtures to be installed. Assistant Director Lentini also described a solar car port project being developed for an Authority commuter parking lot near the Telegraph Hill Maintenance yard.

ED Hakim commended Assistant Director Lentini for his leadership and initiative in accomplishing these items.

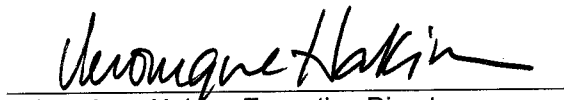
Commissioner DuPont complimented the Authority's Maintenance Department for prudently selling its used oil from vehicles and equipment.

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The motion to adjourn was made by Chairman Simpson, Treasurer DuPont and seconded by Commissioner Becht and, after the voice vote, the motion was duly adopted. The Authority adjourned at 10:22 a.m., to meet on Wednesday, May 30, 2012, at 9:30 A.M.

ATTEST:


Sheri Ann Czajkowski,
Assistant Secretary to the Authority


Veronique Hakim, Executive Director

Corporate Seal

Date: April 26, 2012