

**SOUTH JERSEY TRANSPORTATION AUTHORITY
BOARD OF COMMISSIONERS MEETING
JUNE 21, 2017
AGENDA**

The June 21, 2017 Board of Commissioners Meeting will be held at 9:00 a.m. at the South Jersey Transportation Authority Administration Building on the Atlantic City Expressway at Milepost 21.3 in Elwood, New Jersey 08217.

1. Statement of Public Notice
2. Roll Call
3. Approval of the June 21, 2017 Agenda
4. Approval of the May 17, 2017 Meeting Minutes
5. Executive Session
6. Roll Call upon return to Open Session
7. Executive Report
8. Committee Reports
9. Public Response to Agenda Items
10. Presentation and Approval of Bills
11. Resolutions and Motions

RESOLUTIONS TO BE PRESENTED

RESOLUTION 2017-38 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING CERTAIN PERSONNEL ACTIONS

Pursuant to the Authority By-Laws, the Personnel Committee shall advise the Board on issues related to organization structure, equal employment opportunity, labor negotiations, employment practices and personnel actions affecting an individual's employment status or compensation. This resolution seeks Board approval for personnel actions as specified in the "Schedule A" attached to said resolution.

RESOLUTION 2017-39 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO ENERNOC, OF BOSTON, MASSACHUSETTS, TO SERVE AS A THIRD PARTY REVERSE AUCTION SERVICE PROVIDER FOR THE AUTHORITY

The SJTA intends to publicly bid its electric power supply (as opposed to using the default BGS-FP tariff) in an effort to achieve cost savings on its electric utility bills. To achieve the best value, the Authority must ensure that the bidding process is designed and implemented in a manner consistent with its purchasing rules and regulations, and provide for a clear comparison of bids to ascertain the lowest cost and maximize bidder participation so to drive down the bid price as low as possible. The Department of Community Affairs' ("DCA") Division of Local Government Services has authorized local units to procure energy suppliers through online bidding and reverse auction programs pre-approved by the Division. The SJTA is not a local unit; however, to be consistent with the State and local governments, we follow the rules for online bidding services established by the Division. The DCA approved providers of reverse-auctions do not have state contracts for the Authority to utilize. As such, the Authority has issued an RFP to select one of the firms from the DCA approved list to provide reverse auction services. Such firm shall have authorization to act on the Authority's behalf to procure the respective authorized suppliers who provide the Authority with the best price advantage by way of this auction. On April 4th and April 5th, 2017, the Authority advertised a Request for Proposals. On May 9, 2017, two proposals were received. On May 17, 2017, the Consultant Selection Committee met for the purpose of ranking the reviewed proposals. Based on the results of the Consultant Selection Committee meeting, EnerNOC, of Boston, Massachusetts was deemed to have submitted the highest ranked proposal and is being recommended to provide such service.

RESOLUTION 2017-40 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE APPOINTMENT OF NEHMAD PERILLO & DAVIS P.C., OF EGG HARBOR TOWNSHIP, NEW JERSEY, AS GENERAL LEGAL COUNSEL AND FLORIO PERRUCCI STEINHARDT & FADAR, LLC, OF CHERRY HILL, NEW JERSEY, AS SPECIAL LEGAL COUNSEL TO THE SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION

In furtherance of Executive Order #37, on April 3rd & 4th, 2017 the Authority publicly advertised a Request for Proposals (“RFP”) for General Legal Counsel and Special Legal Counsel services for the South Jersey Transportation Planning Organization (the “SJTPO”). On May 2, 2017, six proposals were received. On May 12, 2017, same were reviewed by the Consultant Selection Committee, comprised of Authority and SJTPO staff. Based on the Consultant Selection Committee’s evaluation, the SJTPO, via Resolutions 1705-13 and 1705-14 respectively, at their May 22, 2017 Policy Board Meeting, awarded contracts to Nehmad Perillo and Davis, P.C., of Egg Harbor Township, New Jersey, to serve as General Legal Counsel and Florio Perrucci Steinhardt & Fader, LLC, of Cherry Hill, New Jersey, to serve as Special Legal Counsel to the SJTPO. The term of these contracts shall be one (1) year with an option to extend for one additional year at the discretion of the SJTPO and the Authority. The hourly rates, as set forth in the RFP are \$200.00 per hour for partners, \$175.00 per hour for associates, \$125.00 per hour for workers’ compensation attorneys, \$100.00 per hour for clerks and law assistants and \$90.00 per hour for paralegals. A cap on total annual compensation for such practice areas shall be as follows: General Legal Counsel, \$15,000.00; Special Legal Counsel (Employment and Labor), \$15,000.00 and Special Legal Counsel (Environmental), \$15,000.00.

RESOLUTION 2017-41 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO AIR CONTROL TECHNOLOGY, INC., OF WEST BERLIN, NEW JERSEY FOR THE ATLANTIC CITY EXPRESSWAY INSTALLATION OF NEW NATURAL GAS HEATING SYSTEMS AT VARIOUS SITE LOCATIONS

On May 1st and 2nd, 2017, the Authority publicly advertised for bids for the Atlantic City Expressway Installation of New Natural Gas Heating Systems at Various Site Locations. Work associated with this project was sought via two separate Base Bids. Base Bid #1 includes, but is not limited to, furnishing all labor, equipment, and materials and performing all work required for the replacement of the existing oil-fired boilers with natural gas boilers at two sites: the Pleasantville Site (East Maintenance Yard) and the Winslow Site (West Maintenance Yard). These Yards are nearly identical in scope, as they both contain one boiler and one set of pumps. Base Bid #2 includes the work referenced in Base Bid #1, as well as one additional site location, the Hammonton Site (Central Maintenance Yard). The Central Maintenance Yard contains two boilers and two sets of pumps. The selection of the Base Bid is contingent upon the availability of funds. On May 24, 2017, five bids were received, opened and tabulated. Air Control Technology, Inc., of West Berlin, was deemed the lowest responsive, responsible bidder in an amount not to exceed \$292,316.00 for the desired Base Bid #2. The Authority desires to enter into a contract with Air Control Technology, Inc., of West Berlin, for Base Bid #2, in an amount not to exceed \$292,316.00.

RESOLUTION 2017-42 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE NEGOTIATION AND EXECUTION OF A GROUND LEASE AGREEMENT WITH FRESH AIR LOGISTICS, LLC, OF HAMMONTON, NEW JERSEY AT THE ATLANTIC CITY INTERNATIONAL AIRPORT FOR THE DEVELOPMENT OF AN AIRCARGO FACILITY AND ASSOCIATED SUPPORT STRUCTURES

Pursuant to N.J.S.A. 27:25, Section 7(n) of the Act, the Authority has the power to grant by franchise, lease or otherwise, the use of any project, facility or property owned and controlled by the authority to any person for the consideration and for the period or periods of time and upon terms and conditions as are agreed upon, including but not limited to, the condition that the lessee may construct or provide any buildings or structures for the project facility or property or portions thereof. The Airport includes real property owned by the Authority and/or leased by the Authority from the Department of Transportation Federal Aviation Administration (“FAA”) that has been identified as developable property in the Atlantic City International Airport’s FAA Approved Master Plan. Fresh Air Logistics LLC (“FAL”), a limited liability company of the State of New Jersey, which is based in Hammonton, New Jersey, proposes to enter into a long term ground lease with the Authority for the lease of real property at the Airport for the development of an air cargo facility and associated support structures. Under the proposal, FAL would pay fair market ground rent for the property included in the lease and would construct, with its own funds, the air cargo facility, associated support structures and related infrastructure improvements. The Deputy Airport Director believes the proposed ground lease and development of the air cargo facility and associated support structures would foster economic development in the area, generate additional revenue for the Airport and be in the best interests of the Authority and the public it serves.

RESOLUTION 2017-43 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY SUPPORTING THE 7TH ANNUAL DELMOSPORTS ATLANTIC CITY TRIATHLON

DelMoSports, LLC has requested permission from the Authority to utilize portions of the Atlantic City Expressway for the 7th Annual Atlantic City Triathlon which will be held on August 5th, 2017, from 6:00 a.m. to 11:00 a.m. The Atlantic City Triathlon is a well-known Olympic event that promotes a positive image and showcases the region's many tourist attractions, as well as brings Atlantic City and its surroundings a healthful, non-gaming, family-friendly event. The Authority is keenly interested in supporting events that promote tourism, and provide economic stimulation to the region. The Authority will be reimbursed by DelMoSports, LLC for documented Authority related expenses in connection with its support of the event and all participants of the Triathlon shall be required to sign an application which discharges the Authority, sponsors of this event, their agents, officers, employees, volunteers, event directors and event holders and anyone associated in any way with the event, from all liabilities, actions, claims, demands and damages. It is estimated the Atlantic City Triathlon will have a significant economic impact to the region, as participation in 2016 included nearly 2000 registered athletes. It was estimated that the economic impact of this event in 2016 brought between \$775K and \$1.3M to the region's economy.

RESOLUTION 2017-44 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AN AGREEMENT WITH CONDUENT, INC., OF CHERRY HILL, NEW JERSEY, (FORMERLY XEROX COMPANY) FOR THE PROVISION OF CERTAIN TRANSPORTATION SERVICES

The Transportation Services Division is currently operating a comprehensive transportation system acquired from the Camden County Improvement Authority. Xerox Company ("Xerox") requested the Authority provide round trip transportation for its employees from the PATCO Woodcrest Station in Cherry Hill, New Jersey to their workplace located at 101 Woodcrest Road, in Cherry Hill, New Jersey. Resolution 2014-73 authorized the Authority to provide said services effective September 1, 2014 and terminating on or about August 31, 2017 at a rate of \$42.00 per hour. On January 1, 2017, Conduent, Inc., separated from Xerox and is now an independent public company. Conduent, Inc., has requested the Authority continue to provide its employees with shuttle service for a term of three years, commencing on or about September 1, 2017 and terminating on or about August 31, 2020, at a rate of \$45.00 per hour. The rate as indicated in this agreement covers the costs incurred by the Authority to operate this shuttle service. The hours of operation for the shuttle are 7:00 a.m. to 12:30 p.m. and 4:00 p.m. to 9:30 p.m., Monday through Friday.

RESOLUTION 2017-45 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY APPROVING PROPOSED NEW RULES OF OPERATION FOR THE BUS MANAGEMENT PROGRAM AND AUTHORIZING THE FILING OF SAME WITH THE NEW JERSEY OFFICE OF ADMINISTRATIVE LAW

NJ.S.A. 27:25A-7(q) authorizes the Authority to establish rules and regulations pursuant to the Administrative Procedures as necessary for the management and regulation of its affairs, the use, maintenance and operation of the transportation system, including, but not limited to, the management, control and regulation of motorbus regular routes and motorbus charter service (the "Bus Management Program"). Pursuant to the sunset provisions of NJ.S.A. 52:14B-5.1c, N.J.A.C. 19:75, South Jersey Transportation Authority Bus Management Program Rules of Operation, expired on November 20, 2016. The Authority desires to adopt New Rules related to its Bus Management Program with certain amendments to the expired rules (the "Proposed New Rules") and intends to file such Proposed New Rules with the New Jersey Office of Administrative Law. The Commissioners have reviewed the Proposed New Rules and determined they are necessary, reasonable and proper for the purposes for which they were originally promulgated, and have approved the Proposed New Rules for filing with the OAL, in the form as attached hereto and incorporated herein entitled Schedule "A." Pursuant to the Rules of the OAL, the Authority desires to seek informal comments, particularly from the motor bus industry, and shall hold public hearings to provide opportunity for public comment on the new rules. In accordance with the Administrative Procedures Act, the Proposed New Rules will be filed with the OAL, and subsequently be published in the New Jersey Register in July/August of 2017.

12. Petitions and Communications, Unfinished Business, New Business
13. General Comment
14. Time and Place of Next Meeting: The next regularly scheduled Board meeting will be held on **Wednesday, July 19, 2017 at 9:00 a.m.** in the Board Room of the SJTA Administration Building, Farley Service Plaza, Elwood, New Jersey.

ADJOURNMENT