

**SOUTH JERSEY TRANSPORTATION AUTHORITY  
BOARD OF COMMISSIONERS MEETING**

**Revised 5/18/21**

**MAY 19, 2021**

**AGENDA**

The May 19, 2021 Board of Commissioners Meeting will be held at 9:00 a.m. via Teleconference. Opportunity for public participation by telephone will be available by dialing: 1 (800) 346-7359 access code: 492851.

1. Statement of Public Notice
2. Roll Call
3. Approval of the May 19, 2021 Agenda
4. Approval of the April 21, 2021 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 2021-43 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXTENSION OF A CONTRACT TO THE BANK OF NEW YORK MELLON TRUST COMPANY, N. A. OF NEW YORK, NEW YORK FOR OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUSTEE AND SAFEKEEPING SERVICES TO THE AUTHORITY**

Pursuant to Resolution 2018-29, the Authority awarded a contract to The Bank of New York Mellon Trust Company, N.A. for Other Post Employments Benefits (OPEB) Trustee and Safekeeping Services. The term of contract is, beyond the completion of the initial proposed transactions, (3) years with two mutually agreeable (1) year renewal options. As the initial term of this agreement is set to expire on or about July 31, 2021, the Authority and The Bank of New York Mellon Trust Company, N.A mutually desire to exercise the first one (1) year renewal option.

**RESOLUTION 2021-44 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 this resolution.

**RESOLUTION 2021-45 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXTENSION OF AN AGREEMENT WITH PRO COMPUTER SERVICES, OF MOORESTOWN, NEW JERSEY FOR INFORMATION TECHNOLOGY SYSTEMS & NETWORK SUPPORT SERVICES**

Pursuant to Resolution 2016-129, the Authority entered into an agreement with PC Network, Inc. of Philadelphia, Pennsylvania and Pro Computer Services of Moorestown, New Jersey for Information Technology Systems & Network Support Services for a term of three (3) years with two (2) one-year options to renew. Pursuant to Resolution 2020-45, the Authority exercised its first (1<sup>st</sup>) one-year renewal option with both PC Network, Inc. and Pro Computer Services. This Resolution authorizes the Authority to exercise the second (2<sup>nd</sup>) one-year renewal option with Pro Computer Services. PC Network, Inc. did not desire to extend its contract with the Authority.

**RESOLUTION 2021-46 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO WEATHERBY CONSTRUCTION OF ATLANTIC CITY, NEW JERSEY FOR THE ATLANTIC CITY EXPRESSWAY EAST MAINTENANCE GARAGE PROJECT**

On March 31, 2021 and April 1, 2021, the Authority publicly advertised for bids for the Atlantic City Expressway East Maintenance Garage Project. Work for this program consists of the construction of a new maintenance garage that will include an office area, a mezzanine storage area and truck service bays. As part of this solicitation, the Authority sought two (2) separate Base Bids, wherein the selection is contingent upon available funds. The project is bid as follows: Base Bid #1- Construction of the office area, mezzanine, four (4) truck service bays and all work associated with both salt domes. Base Bid #2- Construction of the office area, mezzanine and all five (5) truck service bays and all work associated with both salt domes. On April 22, 2021, five (5) bids were received, opened and tabulated. The Authority deemed that the award of the Base Bid #2, of which limits are indicated above, represented the best value for the Authority. Weatherby Construction of Atlantic City, New Jersey was deemed to have submitted the lowest responsible bid for the desired Base Bid #2. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with Weatherby Construction from Atlantic City, New Jersey, for the Atlantic City Expressway East Maintenance Garage Project, which includes the Base Bid #2, in an amount not to exceed \$1,993,000.00,

**RESOLUTION 2021-47 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO A WOMAN OWNED CONTRACTOR, INC. OF PHILADELPHIA, PENNSYLVANIA (“AWOC”) FOR THE ATLANTIC CITY EXPRESSWAY WEST MAINTENANCE ROOF REHABILITATION PROJECT**

On March 31, 2021 and April 1, 2021, the Authority publicly advertised for bids for the Atlantic City Expressway West Maintenance Roof Rehabilitation Project. Work for this program consists of the replacement of the existing roofing at the West Maintenance Office/Garage Building with a new 60-mil, 20-year warranty, fully adhered EPDM roof system, including removal and reinstallation of all existing mechanical and electrical items, as necessary. As part of this solicitation, the Authority sought two (2) separate Base Bids, wherein the selection is contingent upon available funds. The project is bid as follows: Base Bid #1- Roof Area “A” (Truck Maintenance Bays; Base Bid #2- Roof Area “A+B” (Truck Maintenance Bays + Office Area. On April 22, 2021, four (4) bids were received, opened, and tabulated. The Authority deemed that the award of the Base Bid #2, of which limits are indicated above, represented the best value for the Authority. A Woman Owned Contractor, Inc. (“AWOC”) of Philadelphia Pennsylvania was deemed to have submitted the lowest responsible bid for the desired Base Bid #2. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with A Woman Owned Contractor, Inc. (“AWOC”) of Philadelphia Pennsylvania for the Atlantic City Expressway West Maintenance Roof Rehabilitation Project Base Bid #2, in an amount not to exceed \$160,000.00.

**RESOLUTION 2021-48 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING CHANGE ORDER #1 TO A CONTRACT WITH OCEAN CONSTRUCTION, LLC OF MARMORA, NEW JERSEY FOR THE ATLANTIC CITY EXPRESSWAY FRANK S. FARLEY SERVICE PLAZA NATURAL GAS CONVERSION PROJECT**

On September 16, 2020 the Authority, via Resolution 2020-117, entered into an agreement with Ocean Construction, LLC for the Atlantic City Expressway Farley Service Plaza Natural Gas Conversion Project in an amount not to exceed \$341,000.00 for the desired Base Bid #1. Change Order Number 1 has been requested in the amount of \$67,936.00 for work specific to the existing generator concrete pad and surrounding fence modifications as well as new generator conductors and wiring to properly power the new larger generator, which remedy an unforeseen condition not previously documented on prior as-built drawings. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends approval of the Change Order.

**RESOLUTION 2021-49 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING**

**BETWEEN THE NATIONAL AVIATION RESEARCH AND TECHNOLOGY PARK, INC., AND THE SOUTH JERSEY TRANSPORTATION AUTHORITY**

The National Aviation Research and Technology Park, Inc. (the “NARTP”) is a not-for-profit auxiliary organization of Stockton University. The Authority is currently an active participant in the development of the NARTP at the Airport and is a “Cornerstone” member of the NARTP. The Authority, via Resolution 2011-05, formally established a collaborative Memorandum of Understanding (the “MOU”) with NARTP with respect to the conduct of aviation research involving the Atlantic City International Airport and the Next Generation Air Transportation System (NextGen). This MOU includes all of the activities required to support the conduct of aviation research activities that require the expertise, personnel, and/or facilities and operations of the Authority. The current MOU is set to expire on July 31, 2021. As a Core Value of the Authority is to promote Innovation through the use of technology and human resources, the Authority now desires to enter into a new MOU, in similar form as attached hereto entitled Exhibit “A”, with NARTP to provide continued support and to make available resources to support the development of the NARTP and its mission. Entering into this MOU is consistent with the mission of the Authority and the efforts associated with this MOU will have a positive impact on innovative aviation technology and research at the Airport.

**RESOLUTION 2021-50 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AN EASEMENT AGREEMENT WITH ATLANTIC CITY ELECTRIC COMPANY FOR BLOCK 164, LOT 15 LOCATED IN THE CITY OF PLEASANTVILLE, NEW JERSEY FOR THE RELOCATION AND UPGRADES OF ELECTRIC DISTRIBUTION WIRES AND ELECTRIC SERVICE**

The Authority is pursuing the new Maintenance Garage at the Pleasantville Maintenance Yard as part of the 2020 Amended Capital Budget. The project requires the relocation and upgrade of Atlantic City Electric Company’s infrastructure on the property to better service the entire site as well as new building. The Atlantic City Electric Company requires an easement on the property, which will be filed with the Atlantic County Clerk. The Director of Engineering/Chief Engineer has reviewed the Utility Easement Agreement and has determined that granting approval for the proposed easement will not interfere with the maintenance and purpose of said property.

**RESOLUTION 2021-51 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY TERMINATING THE GROUND LEASE WITH CINGULAR WIRELESS PCS, LLC., A DELAWARE LIMITED LIABILITY COMPANY, D/B/A AT&T FOR THE PURPOSE OF CINGULAR WIRELESS PCS, LLC., D/B/A AT&T, TO ENTER INTO A SUBSTANTIALLY SIMILAR AGREEMENT WITH WIRELESS EDGE WESTCHESTER GROUP, LLC, ACTING ON BEHALF OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY**

The Authority, via Resolution 2001-63 entered into a Ground Lease agreement (the “Lease”) with Cingular Wireless PCS, LLC d/b/a AT&T (“AT&T”) for the lease of property at the Authority’s Pleasantville Toll Plaza to construct and operate a communications equipment facility to be used in conjunction with the existing telecommunications monopole located on said property. AT&T, at its sole cost and expense, applied for all permits to construct and install the communications equipment facility at the Authority’s Pleasantville Toll Plaza and continues to pay annual rental fees to the Authority for the same. The initial term of the Lease was for five (5) years which automatically renewed for three (3) additional five (5) year Terms. Pursuant to Resolution 2020-138, the Authority and AT&T desired to extend the Term of the Lease for an initial term of sixty (60) months commencing on October 1, 2022 and the Lease would automatically renew for up to three (3) additional sixty (60) month terms with a fourth renewal option of fifty-two (52) months upon the same terms and conditions. On or about February 1, 2011, the Authority and Wireless Edge Westchester Group LLC, a New York limited liability company, (“Wireless Edge”) entered into a Master License Agreement. seeking to construct, install, operate, and maintain radio transmitting and receiving antennas together with other associated electronic equipment in connection with its wireless communications business as needed to create wireless communications services on behalf of the Authority, including the telecommunications monopole at the Authority’s Pleasantville Toll Plaza. Wireless Edge, on behalf of the Authority, has negotiated advantageous terms and conditions for an agreement with AT&T that would encompass the

Lease. It has been determined to be financially and administratively advantageous for the Authority to terminate the Lease contingent upon AT&T entering into a substantially similar agreement with Wireless Edge, on behalf of the Authority, for, but not limited to, rental fees related to the telecommunications monopole at the Authority's Pleasantville Toll Plaza.

**RESOLUTION 2021-52 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROVE, EXECUTE AND ACCEPT PROJECT PROPOSALS, AWARDS, GRANTS, COOPERATIVE AGREEMENTS AND RELATED DOCUMENTS WITH REGARDS TO THE FEDERAL AVIATION ADMINISTRATION ON BEHALF OF THE AUTHORITY WITH RESPECT TO THE AUTHORITY'S AIRPORT DIVISION**

Pursuant to Section 7(r) of the Act, the Authority has the power, subject to approval by the Commissioners, to apply for, receive and accept from any federal agency, any bi-State agency or the State or subdivision thereof, grants for or in aid of the planning or acquisition of any project and to receive and accept aid or contributions from any other public or private source, of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which those grants and contributions may be made. The Federal Aviation Administration ("FAA") has been delegated authority to award Federal Financial Assistance for Aviation Projects. The Authority has submitted an Airport Improvement Program grant applications to the FAA and anticipates receiving notification of grant offering for the following Airport projects/equipment entitled: Rehabilitate Runway 13-31 Lighting, Grant No: 3-34-0002-107-2021. As the FAA requires Board approval to accept such grants, it is the desire of the Authority to authorize acceptance as well as the execution of any project proposals, awards, grants, certifications and assurances, cooperative agreements, and related documents in connection therewith.

**RESOLUTION 2021-53 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ACCEPTANCE AND EXECUTION OF AN AGREEMENT AND RELATED DOCUMENTS WITH THE FEDERAL AVIATION ADMINISTRATION**

Pursuant to Section 7(r) of the Act, the Authority has the power to apply for, receive and accept from any federal agency, any bi-State agency or the State or subdivision thereof, grants for or in aid of the planning or acquisition of any project and to receive and accept aid or contributions from any other public or private source, of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which those grants and contributions may be made. The Federal Aviation Administration ("FAA") has been delegated authority by the Federal government to award Federal financial assistance for aviation projects at the Airport. The Authority has received notification from the FAA of a grant offering for the following grant program: Airport Coronavirus Response Grant Program Grant Offer Grant Number 3-34-0002-108-2021 (the "Grant") to provide relief from rent and minimum annual guarantees (MAG) obligations to each eligible airport concession, this amends Grant 3-34-002-106-2021. The FAA requires Board approval to accept the Grant on behalf of the Authority. It is the desire of the Board of Commissioners to authorize the Executive Director, or his designee, to accept the Grant and execute any project proposals, modifications, amendments, certifications and assurances, cooperative agreements, and related documents in connection with the Grant on behalf of the Authority.

**RESOLUTION 2021-54 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ACCEPTANCE OF AN INSURANCE PAYMENT FROM ARCH INSURANCE GROUP FOR PROPERTY DAMAGE AT MILE POST 6.50 OF THE ATLANTIC CITY EXPRESSWAY**

Pursuant to Section 7(x) of the Act, the Authority has the power to enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts necessary, convenient or desirable for the purposes of the Authority or to carry out any powers expressly given in the Act. On August 9, 2018, a single vehicle accident occurred on the Expressway at Mile Post 6.50, East Bound, in Egg Harbor Township, New Jersey, which resulted in the temporary closure of the eastbound Expressway and two ramps between Interchange 7 and Interchange 5, the clean-up and removal of debris and other materials, and the permanent closure of a shoulder along Fire Road. Following a publicly

advertised bid, on October 16, 2018, the Authority awarded a contract to R.E. Pierson to perform all work required for the repair of Bridge 22 including: (1) the removal of existing west fascia pre-stressed concrete I-beam of Span S2 over Eastbound traffic, as well as the associated diaphragms, deck, sidewalk, parapet and fence; (2) installation of a new west fascia pre-stressed, concrete I-beam in Span S2 over Eastbound traffic, including bearings, and reinforced concrete deck, diaphragms, sidewalk and parapet; (3) patching the existing spall on the first interior beam from the west fascia in Span S2 with epoxy concrete; and (4) pavement repairs in the eastbound center lane beneath the bridge impact. The Authority's total cost to repair the aforementioned property damage was \$627,121.27. On November 19, 2018, the Authority sent a formal notice of intent to subrogate to Gallagher Bassett Services, Inc. ("Gallagher Bassett"), which served as the third-party claims manager for the Insured Parties. The aforementioned repair work was substantially completed in March 2019. Following the completion of the repair work, the Authority's counsel demanded the payment of its claim in the amount of \$627,121.27 (the "Claim"). In or around April 2021, the Authority and Gallagher Bassett reached a tentative agreement in which Arch Insurance, on behalf of the Insured Parties, agreed to make a one-time payment of \$610,000 to the Authority as a full and final settlement of the Claim. The Authority and its counsel have determined that the resolution of the Claim in the amount of \$610,000 is in the Authority's best interest.

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, June 16, 2021 at 9:00 a.m.** via teleconference.

ADJOURNMENT