

**SOUTH JERSEY TRANSPORTATION AUTHORITY
BOARD OF COMMISSIONERS MEETING
NOVEMBER 18, 2020
AGENDA**

The November 18, 2020 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 November 18, 2020 Agenda
4. Approval of the October 21, 2020 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 2020-133 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY
ADOPTING THE 2021 OPERATING BUDGET FOR THE AUTHORITY**

This Resolution authorizes the adoption of the 2020 Operating Budget. The budget will cover all operating expenses, debt service, all other required payments and meet all bond ratio coverage tests.

**RESOLUTION 2020-134 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY
ADOPTING THE 2021 CAPITAL BUDGET AND THE TEN-YEAR CAPITAL PLAN FOR THE
AUTHORITY**

The adoption of the 2021 Capital Budget and Ten-Year Capital Plan is necessary for planning and implementing future projects. The Chief Financial Officer has presented to the Board of Commissioners both the Capital Budget for the fiscal year 2021 and the Ten-Year Capital Plan. All 2020 open commitments payable and encumbered resources will be carried forward to the 2021 Capital Budget.

**RESOLUTION 2020-135 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY
CONDITIONALLY APPROVING PROPOSED TERMS OF THE COLLECTIVE BARGAINING
AGREEMENT WITH LOCAL 196 DRIVERS, CHAPTER II, I.F.P.T.E., AFL-CIO**

The Authority and International Federation of Professional and Technical Engineers, AFL/CIO, representing Authority drivers (“Union”) have engaged in negotiations regarding the terms of a Collective Negotiations Agreement (the “Collective Negotiations Agreement”) covering the period January 1, 2020 through December 31, 2023. The Executive Director has reported to the Personnel Committee regarding the results of such negotiations with the Union and the terms tentatively agreed to through such negotiations. The Personnel Committee has recommended to the Board that the Board approve the terms of the Collective Negotiations Agreement as presented by the Executive Director and as prepared by the Authority’s Labor Counsel. The Authority desires to accept the recommendation of the Personnel Committee and approve the terms of the Collective Negotiations Agreement with the Union covering full time and part time drivers. The negotiated terms of the Collective Negotiations Agreement are memorialized by two memoranda of agreements attached hereto as “Exhibit A”, the Memorandum of Agreement dated February 22, 2020, and “Exhibit B”, the Memorandum of Agreement modifying wage schedule rates dated October 23, 2020.

**RESOLUTION 2020-136 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY
AUTHORIZING THE SECOND AND FINAL EXTENSION OF PROFESSIONAL SERVICE
AGREEMENTS FOR THE SELF-FUNDED GROUP HEALTH BENEFIT PROGRAM**

The Authority, via Resolution 2002-23, became a member of the New Jersey Interagency Coordinating Committee. In April 2000, legislation was enacted permitting members of the New Jersey Interagency

Coordinating Committee to utilize each other's contracts as an effective way to save time and money through the use of joint purchasing power to obtain the most advantageous pricing and terms. The Authority is permitted to purchase from the New Jersey Interagency Coordinating Committee members contracts without the necessity of bidding when it is in the best interest of the Authority to do so. The Authority, via Resolution 2015-13, enrolled its employees in the New Jersey State Health Benefits Plan (the "SHBP") for Medical Benefits and Prescription Benefits only. The NJTA issued an RFP on February 11, 2016, to secure the services of a qualified healthcare firm or firms to administer one or a combination of the Health Benefits plans for its Self-Funded Group Medical Benefit Program, which includes Dental Benefits Administration Services and Vision Benefits Administration Services. On April 7, 2016, six (6) proposals were received for Dental Benefits Administration Services and seven (7) proposals received for Vision Benefits Administration Services. The NJTA's Consultant Selection Committee comprised of voting members from their Human Resources and Finance Departments along with non-voting members from their Procurement and Materials Management and Law Departments reviewed and ranked all proposals numerically based upon technical and cost criteria. Based on this review and ranking process, the Committee recommended the award of contracts to Delta Dental, Inc., of Parsippany, New Jersey for Dental Benefits Administration Services and EyeMed Vision Care, LLC of Mason, Ohio for Vision Benefits Administration Services. Pursuant to Resolution 2016-103, the Authority approved said contracts which commenced on or about January 1, 2017 for a term of three (3) years with two (2) one-year extension options at the discretion of the NJTA and with the concurrence of the vendors. The Authority authorized the extension of the agreement for the first one (1) year renewal option via Resolution 2019-107. The Authority now desires to exercise its second and final one (1) year extension option commencing on or about January 1, 2021.

RESOLUTION 2020-137 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY EXTENDING THE APPOINTMENT OF FLORIO, PERRUCCI, STEINHARDT, & CAPPELLI OF CHERRY HILL, NEW JERSEY AS GENERAL COUNSEL, COOPER LEVENSON OF ATLANTIC CITY, NEW JERSEY AS CO-GENERAL COUNSEL AND BROWN & CONNERY, L.L.P., OF WESTMONT, NEW JERSEY, AS SPECIAL COUNSEL TO THE AUTHORITY

On November 7th and November 8th, 2019, the Authority publicly advertised a Request for Proposals for a wide variety of General Counsel legal services work including, Aviation and Airport, Outdoor Advertising and Environmental matters as well as Special Counsel work related to Employment and Labor matters. On November 27, 2019, in response to said advertising, eight (8) proposals were received. The Consultant Selection Committee (CSC) reviewed and ranked the Proposals to determine if same met all the requirements of the specifications and instructions to proposers. Based on the CSC's recommendation, the Authority, via Resolution 2019-116, appointed Florio, Perrucci, Steinhardt, & Cappelli of Cherry Hill, New Jersey as General Counsel, Cooper Levenson of Atlantic City, New Jersey as Co-General Counsel and Brown and Connery, L.L.P. of Westmont, New Jersey as Special Counsel to the Authority for a term of one (1) year with a one (1) year option to renew at the Authority's sole discretion. As the initial term of these contracts is set to expire on or about December 31, 2020, the Authority desires to exercise its one (1) year option to renew under the same terms and conditions commencing on or about January 1, 2021.

RESOLUTION 2020-138 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE FIRST AMENDMENT TO A GROUND LEASE WITH NEW CINGULAR WIRELESS PCS, LLC D/B/A AT&T FOR THE CONSTRUCTION AND LEASING OF A COMMUNICATIONS EQUIPMENT FACILITY

Pursuant to Resolution 2001-63, the Authority entered into a Ground Lease agreement (the "Lease") dated August 20, 2001, with Cingular Wireless PCS, LLC d/b/a AT&T for the lease of property at the Expressway'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. The initial term of said lease is for five (5) years which automatically renews for three (3) additional five (5) year Terms. As the Term of the Lease is set to expire on September 30, 2022 the Authority and AT&T mutually desire to amend the Lease as outlined in Exhibit "A" with respect to the following: Extend the Term of the Lease; Modify the Rent payable under the Lease; Amend the Lease to clarify the scope of AT&T's permitted use of the Demised Premises

RESOLUTION 2020-139 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE SUPPORT OF SPECIAL EVENTS DESIGNED TO PROMOTE THE ATLANTIC CITY EXPRESSWAY AND THE SIX SOUTHERN MOST COUNTIES IT SERVES

The Authority is keenly interested in supporting events that promote tourism and provide an economic benefit to the six southernmost counties it serves. Members of the Authority have participated in planning committees comprised of regional stakeholders, which, from time to time, have included representatives from Host Marriott, Sunoco, casinos and businesses and civic groups desiring to participate and/or sponsor such events. The purpose of the special events is to increase concession sales at the Frank S. Farley Service Plaza, motorists on the Atlantic City Expressway as well as provide an economic benefit to the six counties the Authority serves. Resolution 2019-108 authorized approval for calendar year 2020 and the Authority seeks approval to participate in and support such events for the calendar year 2021.

RESOLUTION 2020-140 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING SUPPORT OF A TOLL SPONSORSHIP CAMPAIGN FOR 2021 DESIGNED TO PROMOTE THE ATLANTIC CITY EXPRESSWAY AND THE SIX SOUTHERN MOST COUNTIES IT SERVES

The Authority is keenly interested in supporting events that promote tourism as well as provide an economic benefit to the six southernmost counties it serves. In the past, the Authority, in conjunction with regional stakeholders, including local industry associations, businesses, civic organizations and casinos have met and recommended sponsorship programs that bolster visitor trips to these areas. The group proposed a "Toll Sponsorship Campaign," whereby an organization would sponsor tolls for a proposed period for the purpose of advertising or promoting regional businesses or a local event, providing benefit to the entity, the Authority and the region as a whole. The Toll Sponsorship Campaign is designed to provide an incentive for motorists to travel the Atlantic City Expressway and the region. Resolution 2019-109 authorized approval for calendar year 2020 and the Authority seeks approval to continue this program for the calendar year 2021. Tolls incurred during the "sponsorship period" will be paid in whole by the sponsor.

RESOLUTION 2020-141 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO DIEHL ELECTRIC, OF HAMMONTON, NEW JERSEY FOR THE ATLANTIC CITY EXPRESSWAY CONNECTOR AND TUNNEL LED LIGHTING CONVERSION

On September 23rd and 24th, 2020 the Authority publicly advertised for Bids for the Atlantic City Expressway Connector and Tunnel LED Lighting Conversion, which consists of furnishing all labor, equipment, and materials and performing all work required to replace the existing light fixtures within the Atlantic City Expressway Connector (ACEC) Tunnel with LED lighting as well as to replace the existing roadway lighting fixtures along the Atlantic City Expressway Connector and affiliated roadways and ramps. On October 15, 2020, three (3) bids were received, opened and tabulated and Diehl Electric, Inc. of Hammonton, New Jersey, was deemed to have submitted the lowest responsive, responsible bid. The Authority now desires to enter into a contract with Diehl Electric, Inc. of Hammonton, New Jersey, for the Atlantic City Expressway Connector and Tunnel LED Lighting Conversion, in an amount not to exceed \$1,580,798.00.

RESOLUTION 2020-142 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO SOUTH STATE, INC. OF BRIDGETON, NEW JERSEY FOR THE EMERGENCY REPAIRS TO ATLANTIC CITY EXPRESSWAY BRIDGE 27 (CONFIRMING)

As a result of a motor vehicle collision on September 26, 2020, significant damage was done to Bridge 27 at milepost 2.3 Westbound on the Atlantic City Expressway. Engineering inspections have been conducted, including structural inspections by the Authority's Chief Engineer and its general engineering consultant, Remington & Vernick. As the result of this inspection it was determined that due to the damage to Bridge 27, immediate contractor response was required to secure and stabilize the bridge structure. The Chief Engineer engaged South State, Inc. of Bridgeton, New Jersey that has history and experience with emergency repairs on Expressway Bridges and whom was available to immediately mobilize and perform temporary repairs to stabilize the bridge structure, allowing the left lane to be reopened. On September 27, 2020, pursuant to the deficiencies and N.J.A.C. 19:2-7.7, which states

“when an emergency declared by the Executive Director or his designee exists of a nature requiring immediate services, the Authority shall, by such solicitation as it considers advisable, obtain whatever is necessary to meet the emergency on the most advantageous terms possible under the circumstances,” thus the Executive Director has declared the damage to Bridge 27 emergent, and as such authorized an emergency procurement for the priority repairs. The Authority engaged South State, Inc. of Bridgeton, New Jersey to begin scheduling immediate demolition and repair work. The scope of work includes the demolition and replacement of the damaged fascia beam including the partial demolition and replacement of the bridge parapet and bridge deck to facilitate the beam replacement. In the interest of safety to the traveling public, and in accordance with N.J.A.C. 19:2-7, the Executive Director authorized South State, Inc. of Bridgeton, New Jersey to conduct the emergency repair of Bridge 27 (confirming) in an amount not to exceed \$1,284,128.00. The Commissioners of the Authority, pursuant to and in furtherance of the powers granted to the Authority under Section 7(x) of the Act, do hereby approve the confirming resolution which authorized South State, Inc. of Bridgeton,, New Jersey to conduct the emergency repair to Bridge 27 at milepost 2.3.

RESOLUTION 2020-143 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO WALTERS MARINE CONSTRUCTION CO. OF OCEANVIEW, NEW JERSEY FOR THE PRIORITY REPAIRS TO ATLANTIC CITY EXPRESSWAY BRIDGE 28 (INTERCOASTAL WATERWAY) (CONFIRMING)

The Bridge 28 Rehabilitation Project was bid two times with bids being accepted on November 21, 2019 and April 24, 2020. On both occasions the bids were rejected due to being over the authority’s budget and well in excess of the Engineer’s Estimate. In accordance with our procurement rules, the Authority attempted to negotiate with the firm whom was the low bidder on both occasions, however those negotiations were not successful as the contractor cited an increase in material and sub-contractor costs due to the COVID-19 Pandemic. During the negotiation process, the Authority’s bridge inspector, Remington & Vernick, Engineers completed the biennial inspection of Bridge 28 and determined that the Fender System has deteriorated to a point a that it is now Priority 1 repair, which requires action within 90 days. Bridge 28 carries the Expressway over the Intracoastal Waterway behind Atlantic City. The Fender System is a timber structure that protects the Bridge from an errant vessel traveling beneath the bridge. The Fender System was major component of the Bridge 28 Rehabilitation Project. The Authority had previously obtained a NJDEP permit which stipulated that all “in-water” work on the Bridge 28 Rehabilitation Project had to be completed prior to April 1st due to shellfish habitat in the area. The Authority’s Chief Engineer and Consultant determined that most expeditious and fiscally responsible approach to completing the priority repair was to establish a new project consisting only of the “in-water” components of the original project, which includes the Fender System. Due to the requirement that Action be taken on the Fender System replacement with 90-day and the requirement that the “in-water” work be completed prior to April 1, 2021; proceeding with a new project under the Authority’s procurement/bidding rules as not possible, and in accordance with N.J.A.C. 19:2-7.7, the Executive Director declared the Priority Repair to Bridge 28 and an Emergency. The Authority developed a scope of work to include only the “in-water” work from the original project including a new Fender System design to control reduce project costs. The Authority conducted a closed bid soliciting bids from the original three bidders. Walters Marine Construction Company submitted the lowest responsive bid.

RESOLUTION 2020-144 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AN EASEMENT AGREEMENT WITH THE CITY OF ATLANTIC FOR BLOCK 475, LOT 2.02 LOCATED IN THE CITY OF ATLANTIC CITY, ATLANTIC COUNTY, NEW JERSEY FOR BALTIC AVENUE DRAINAGE CANAL IMPROVEMENTS – ATLANTIS AVENUE PHASE 2 PROJECT

The Authority is the owner in fee simple of certain lands and premises shown on the current Official Tax Map of the City of Atlantic City known as Block 475, Lot 2.02, which includes a portion of the Atlantic City Expressway Connector and is adjacent to the Atlantis Avenue. The City of Atlantic City desires to construction a project, known at the Baltic Avenue Drainage Canal Improvements – Atlantic Avenue Phase 2 Project within the right-of-way of Atlantis Avenue. As part of the Project, the City desires to construct certain ancillary improvements on the Block 475, Lot 2.02, including a Steel Sheet Pile Bulkhead and shoreline protection to ensure the success the project and the long-term protection of the bay shoreline. The Authority desires to issue a Drainage Easement Agreement to the City of Atlantic City

in order to allow for the construction of improvements on the Block 475, Lot 2.02. The agreement will stipulate that the City of Atlantic City is responsible for the maintenance of the improvements in perpetuity. The Chief Engineer has reviewed the Project and has determined that granting approval for the proposed easement will not interfere with the maintenance and purpose of said property and will greatly improve flood control for a large portion of the City, including the area known as the Atlantic City Corridor at the foot of the Atlantic City Expressway and under the Authority's jurisdiction. The Authority desires to enter into a Drainage Easement Agreement for the Baltic Avenue Drainage Canal Improvements – Atlantis Avenue Phase 2, which is attached hereto as Exhibit "A".

RESOLUTION 2020-145 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO CHERRY VALLEY TRACTOR SALES, INC. OF MARLTON, NEW JERSEY FOR THE PURCHASE AND DELIVERY OF A NEW 2020 OR CURRENT YEAR KUBOTA F2690 FRONT MOUNT MOWERS (OR APPROVED EQUIVALENT)

On September 30, 2020 and October 1, 2020, the Authority publicly advertised for bids for the Purchase and Delivery of 2020 or Current Year Kubota F2690 Front Mount Mowers (or Approved Equivalent). As part of this solicitation, the Authority sought three separate Base Bids: Base Bid One: One (1) to Four (4) Units; Base Bid Two: Five (5) to Eight (8) Units; Base Bid Three: Nine (9) or More Units. On October 21, 2020, one (1) bid was received, opened and tabulated. Cherry Valley Tractor Sales, Inc. of Marlton, New Jersey was deemed the sole, responsive, responsible bidder. The Authority desires to purchase nine (9) units as reflected in Base Bid Three, in an amount not to exceed \$19,600.00 per unit. The number of units to be purchased is contingent upon the availability of funds. The Director of Operations recommends the Purchase and Delivery of 2020 or Current Year Kubota F2690 Front Mount Mowers (or Approved Equivalent), Base Bid Three for a total cost not to exceed \$176,400.00 for the nine (9) units.

RESOLUTION 2020-146 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO CHERRY VALLEY TRACTOR SALES, INC. OF MARLTON, NEW JERSEY FOR THE PURCHASE AND DELIVERY OF A 2020 OR NEWER NEW HOLLAND BOOMER 45 TRACTOR LOADER BACKHOE WITH TURF TIRES AND PENDULAR SPREADER OR EQUIVALENT

On September 30, 2020 and October 1, 2020, the Authority publicly advertised for bids for the Purchase and Delivery of a 2020 or Newer New Holland Boomer 45 Tractor Loader Backhoe with Turf Tires and Pendular Spreader or Equivalent. On October 21, 2020, one (1) bid was received, opened and tabulated. Cherry Valley Tractor Sales, Inc. of Marlton, New Jersey was deemed the sole, responsive, responsible bidder in an amount not to exceed \$43,900.00 per unit. The number of units to be purchased is contingent upon the availability of funds. The Director of Operations recommends the purchase of one (1) 2020 or Newer New Holland Boomer 45 Tractor Loader Backhoe with Turf Tires and Pendular Spreader or Equivalent in an amount not to exceed \$43,900.00.

RESOLUTION 2020-147 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO HUNTER KEYSTONE PETERBILT L.P. D/B/A HUNTER TRUCK SALES AND SERVICE OF SWEDESBORO, NEW JERSEY FOR THE PURCHASE AND DELIVERY OF A 2020 OR NEWER REAR DRIVEN SELF-CONTAINED POST DRIVER W/HYDRAULIC VIBRATORY HAMMER OR EQUIVALENT

On October 1st and October 2nd, 2020, the Authority publicly advertised for bids for the Purchase and Delivery of a 2020 or Newer Rear Driven Self-Contained Post Driver w/Hydraulic Vibratory Hammer or Equivalent. On October 22, 2020, one (1) bid was received, opened and tabulated. Hunter Truck Sales and Service of Swedesboro, New Jersey was deemed the sole, responsive, responsible bidder in an amount not to exceed \$254,933.00. The number of units to be purchased is contingent upon the availability of funds. The Director of Operations recommends the Purchase and Delivery of one (1) 2020 or Newer Rear Driven Self-Contained Post Driver w/Hydraulic Vibratory Hammer or Equivalent in an amount not to exceed \$254,933.00.

RESOLUTION 2020-148 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO PERMIT AGREEMENTS FOR CHARTER AIR SERVICE TO AND FROM ATLANTIC CITY INTERNATIONAL AIRPORT

From time to time, qualified air carriers' express interest in providing Charter Air Service to and from the Atlantic City International Airport. The air carriers do not always desire to lease terminal space from the Authority in order to conduct their charter services. The Authority has determined that a permit to provide Charter Air Services would be appropriate and wishes to authorize the Executive Director or his designee to authorize and issue such permits. Charter Air Service Permits shall be issued to qualified air service carriers for one (1) month, commencing upon execution, and so on from month to month until one of the parties desires to terminate such permit. This resolution authorizes the Executive Director to authorize and issue Charter Air Service Permits, when appropriate, to qualified air carriers in similar form as the agreement attached hereto entitled Schedule "A". This authorization to issue such permits is for a two (2) year period, commencing on January 1, 2021 through December 31, 2023. All fees are set by the Airport's rates and charges.

RESOLUTION 2020-149 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AN AMENDMENT TO THE SHARED SERVICES AGREEMENT WITH THE COUNTY OF GLOUCESTER FOR THE PROVISION OF CERTAIN TRANSPORTATION SERVICES

The Authority and Gloucester County have a shared services agreement for the Authority to provide transportation services to Gloucester County residents for their dialysis and rural shopping programs through the Department of Health and Human Services. Gloucester County has expressed the need for transportation within the Commodore 295 Business Park and providing access connections with NJ Transit and the Pureland East West Community Shuttle. The Authority will charge \$170,000.00 per year via NJ JARC funds for a term of two (2) years. The County will provide at least two (2) vehicles to the Authority at no cost and provided two (2) spare vehicles. The County will repair and maintain all vehicles during the term of this agreement. The Authority will operate one (1) shuttle for two (2) shifts per day Monday-Friday approximately 5:00AM -8PM

RESOLUTION 2020-150 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.

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, December 16, 2020 at 9:00 a.m.** via teleconference.

ADJOURNMENT