

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Gutierrez-Scaccetti, Commissioner
Kevin S. Corbett, President & CEO

NJ TRANSIT
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Newark, NJ 07105-2246
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October 23, 2019

Dear Governor Murphy:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the regularly scheduled meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc., Board of Directors held on Wednesday, October 16, 2019.

Sincerely,

Original Signed By

Joyce J. Zuczek
Board Secretary

Enclosures

Honorable Philip D. Murphy
Governor, State of New Jersey
State House
Trenton, NJ 08625

Open Session Minutes of the actions taken at the regularly scheduled Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, October 16, 2019.

Board Members Present

Diane Gutierrez-Scaccetti, Chair
Brian T. Wilton, Governor's Representative
Dini Ajmani, Treasurer's Representative
Raymond W. Greaves, Board Member (Non-Voting) (By Telephone)

Staff Present

Kevin S. Corbett, President & Chief Executive Officer (CEO)
Joyce J. Zuczek, Board Secretary & OPRA Officer
Caroline Vachier, Deputy Attorney General
Eric R. Daleo, Senior Vice President, Capital Programs
Raymond P. Kenny, Senior Vice President & General Manager, Rail Operations
William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer

Chair Gutierrez-Scaccetti convened the Open Session at 6:07 p.m. in accordance with the Open Public Meetings Act. Mark Geisler, Office of System Safety, provided a public safety announcement. The pledge of allegiance to the flag was conducted and Board Secretary Zuczek conducted a roll call.

Board Secretary Zuczek announced that adequate notice of the regularly scheduled meetings of the Board of Directors of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. was provided in accordance with the Open Public Meetings Act and Public Law 2018, Chapter 162, and the meetings were occurring concurrently. Notices were filed on October 9, 2019 with the Secretary of State. These notices were sent to newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice. The meetings were viewable on the corporation's website in real time and were video recorded, archived, and made available to the public. Minutes will also be archived and published on the website.

Executive Session Authorization

At approximately 6:10 p.m., Chair Gutierrez-Scaccetti requested a motion to enter Executive Session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to, the Personal Injury Claim of Luis Arzuaga and the Personal

Injury Claim of Noelia Rodriguez. Board Member Brian T. Wilton moved the resolution, Board Member Dini Ajmani seconded the motion, and it was unanimously adopted.

Return to Open Session

Board Secretary Zuczek conducted a Roll Call as Board Members returned to Open Session. All Board Members returned to Open Session at approximately 6:41 p.m.

Approval of Minutes

Chair Gutierrez-Scaccetti asked for a motion to approve the minutes of the September 12, 2019 Board meetings. A motion was made by Board Member Brian T. Wilton, seconded by Board Member Dini Ajmani, and it was unanimously adopted.

President & CEO's Monthly Report

President & CEO Corbett noted there were some encouraging news about NJ TRANSIT's rail service. While they still have a way to go, the numbers continue to trend in the right direction. Train cancellations were down 35 percent in the first nine months of 2019, compared to 2018. In September, cancellations were down 17 percent from last year, and on-time performance increased about one percent, to more than 92 percent.

Again, while they still have a way to go, it is important to note that they achieved all this despite on-going locomotive engineer staffing challenges, which speaks to their new leadership team and solid management.

At this moment, NJ TRANSIT has essentially the same number of engineers they had during the same period last year. The class that graduated in May helped NJ TRANSIT keep pace with attrition. They had one less engineer than the same time last year. But during this time, they have been busy training more engineers than ever before in NJ TRANSIT's history.

NJ TRANSIT just began another locomotive engineer training class last week that makes eight classes running concurrently, the most ever in NJ TRANSIT's history. Three locomotive engineer classes will graduate over the next four months; two in November/December and one in January.

Earlier that day, they were proud to join Governor Murphy as they celebrated seven trainees who have successfully completed the on-the-job training portion of the program. These trainees are poised to become full-fledged engineers next month after finishing up additional field testing and passing their final check rides.

Overall, over the two-year period between 2019 and 2020, they will graduate seven classes of locomotive engineers, the same number of classes that graduated in the previous five years, combined. Beginning in 2020 and beyond, there will be real net gains in the ranks of locomotive engineers. The training pipeline will remain full moving forward.

Last year, NJ TRANSIT temporarily suspended the Raritan Valley Line's off-peak, weekday, one-seat ride into Penn Station New York in order to successfully meet the federally-mandated, December 2018 interim deadline for the installation of Positive Train Control, or PTC. On Monday, October 14, 2019, they were pleased to announce that this service will be restored on Monday, November 4, 2019.

President & CEO Corbett thanked all their customers for their patience and understanding while NJ TRANSIT worked to restore this service as soon as they could, which was also affected by the Amtrak summer work in New York Penn Station. This restoration is another example of their continued commitment to an improved customer experience for all of NJ TRANSIT's customers.

Speaking of PTC, NJ TRANSIT's Senior Vice President of Rail Operations, Raymond Kenny, will update the Board on their continued efforts to meet the federally-mandated December 2020 deadline for full PTC implementation. He will be joined by representatives from their vendors, the Parsons/Alstom team, who were present that evening.

The update will cover the significant progress they have made, as well as the challenges they still face, as they enter the final year of testing. Although it has been somewhat off the radar for their customers, NJ TRANSIT is working day and night behind-the-scenes to meet next year's deadline.

Last month, NJ TRANSIT announced open applications for their new Customer Advisory Board, or CAB. The CAB will be led by NJ TRANSIT's Customer Advocate and Chief Customer Experience Officer, Stewart Mader. It will be made up of a diverse group of regular, NJ TRANSIT customers from throughout their service area who use Access Link, bus, rail, and light rail. NJ TRANSIT thinks it will provide invaluable insight to staff and help ensure that customers have a voice in the decisions that impact service delivery. Applications are due by October 25, 2019 and available at njtransit.com/cab. The initial meeting is expected in early 2020.

On September 30, 2019, NJ TRANSIT commenced construction on a long-delayed major capital project at Elizabeth Station. This \$71 million reconstruction effort was NJ TRANSIT's first-ever commuter rail Design-Build station project. President & CEO Corbett pointed out that this project was long-stalled and languishing before they renewed their partnership with Amtrak last year. Amtrak is critical to the flagging and other issues along the Northeast Corridor.

It includes new station buildings, longer platforms for additional boarding capacity, new security and communications systems, improved accessibility for people with disabilities, and new artwork. Parts of the station will be temporarily closed for several months to accommodate this work. When finished, in addition to enhancing safety, the station will be more modern, convenient, and accessible.

NJ TRANSIT appreciates their customers' patience as they work to build a brand-new station and experience for the approximately 3,500 customers who board at Elizabeth Station every day.

Governor Murphy has made strengthening communities around transit a priority in his economic development strategy, which was amplified on October 1, 2019 at Rowan University on the one-year anniversary of his long-term economic plan for the State. Two weeks ago, NJ TRANSIT issued a Request for Expressions of Interest to identify private developers to implement Transit Oriented Development (TOD) projects on agency-owned property along NJ TRANSIT's 37-mile River LINE light-rail system.

NJ TRANSIT is seeking information and feedback to assess the viability of making all or a portion of this property available for redevelopment. They think this is a great opportunity for developers to get in on the ground floor and help create thriving local communities well in advance.

The local economies in so many New Jersey municipalities have grown and benefitted thanks to their proximity to NJ TRANSIT service. NJ TRANSIT wants to accelerate that growth, in partnership with their host communities, by promoting and encouraging mixed-use, TOD along the entire River LINE.

NJ TRANSIT's continued efforts in mixed-use development, and future collaboration with the State Economic Development Authority, supports Governor Murphy's economic initiative to develop under-utilized properties around transit facilities, optimize the value of assets across the State, and increase non-farebox revenue for NJ TRANSIT.

President & CEO Corbett noted NJ TRANSIT's new and ambitious Disadvantaged Business Enterprise (DBE) goal for Federal Fiscal Years 2020 through 2022 was now in effect. This goal, nearly 22 percent DBE participation, is on the total federal financial assistance NJ TRANSIT will expend on FTA-funded contracts over the next three years. It is just one example of their continuing efforts to develop a larger pool of qualified contractors who represent the diversity of the business community and the region they serve.

President & CEO Corbett noted NJ TRANSIT submitted a revised financial plan to the FTA for the Portal North Bridge on September 13, 2019. They are confident this plan satisfies the Administration's requirements and this project is ready to go. President & CEO Corbett had a number of productive meetings with FTA Acting Administrator Williams in recent weeks. President & CEO Corbett's staff, and her staff, believe they have done everything the federal government has asked and they eagerly await the approval of this most critical shovel-ready project.

American Dream has its limited opening in less than 10 days, on October 25, 2019. President & CEO Corbett noted he discussed all the services NJ TRANSIT was adding at their last meeting.

President & CEO Corbett had an opportunity to tour the American Dream complex earlier that afternoon with members of the senior leadership team at Triple 5, in anticipation of the opening. They saw the two venues that will open this Friday, the Nickelodeon Theme Park and the Ice-Skating Rink. The complex is quite impressive, and they will continue to work closely with American Dream as additional venues open in the coming months.

NJ TRANSIT's homepage has a dedicated link where customers can find all the travel options to and from American Dream on NJ TRANSIT. NJ TRANSIT held two public hearings earlier this month in Jersey City and in Hackensack regarding all the service NJ TRANSIT is adding. And again, they will closely monitor the opening, and all the days afterwards, to ensure that transit service to and from American Dream remains commensurate with demand.

Consistent with Governor Murphy's Innovation Agenda and fitting with the work and investments made by the Administration to enhance future mobility, NJ TRANSIT is exploring potential benefits around connected and automated vehicles to complement existing transit. In particular, NJ TRANSIT wants to provide more robust public transit with increased capacity to American Dream and Met-Life Stadium from Secaucus.

Under Chair Gutierrez-Scaccetti's leadership, in her role as both DOT Commissioner and NJ TRANSIT Board Chair, yesterday NJ TRANSIT launched an Innovation Challenge during the APTA Conference in New York City. Through this Challenge, NJ TRANSIT is exploring the possibility of a public-private partnership to move approximately 20,000 people per hour between Secaucus and Met-Life Stadium, which is about double their current maximum capacity on rail. More details are available at njtransit.com/challenge, where individuals can also register for an Industry Day NJ TRANSIT is hosting on November 7, 2019 to promote the competition.

President & CEO Corbett asked Chair Gutierrez-Scaccetti to add a few words regarding the Innovation Challenge.

Chair Gutierrez-Scaccetti said they have their fair share of challenges at NJ TRANSIT, day-to-day. Looking at the day-to-day is extraordinarily important but they cannot lose focus on their vision of the future. The future at NJ TRANSIT must involve a way to move more people in a fashion that is both sustainable environmentally and is the reality for those traveling. She said looking at a place like the Meadowlands Complex, where there is American Dream and MetLife Stadium, what can be done to make this a better experience for people both inside and outside of New Jersey. On November 7, 2019, at MetLife Stadium, the Innovation Challenge will be launched.

Chair Gutierrez-Scaccetti said they are hoping to introduce new service that would run from Secaucus Junction and do a loop through the Meadowlands Complex and run back around continuously. They hope it would be autonomous, green, clean technology, and scalable so it will be able to vary the size and capacity as needed, based on events.

Unfortunately, when American Dream executed a Memorandum of Understanding with the State in 2014, the State did not take any big initiative to focus on transportation. Bus was never on anyone's mind, but it is today. She said they are going to make the very best of that to make it as efficient and comfortable for all those who want to visit the American Dream Mall or go to a stadium game or participate in a concert.

Chair Gutierrez-Scaccetti said APTA was a great place to talk about the Innovative Challenge. The goal of the challenge is to invite the industry in to give their ideas, so NJ TRANSIT can benefit from their knowledge. It is important to understand the world is very expansive. She said they have looked at systems they think work, but they need the industry to come and tell NJ TRANSIT they are interested and want to do this as a public-private partnership because that is the most expedient way to do it and it relieves the burden of finances on NJ TRANSIT. She hopes that open conversation and dialogue will lead to submissions to NJ TRANSIT in response to an Expression of Interest that will be released.

She hopes it will be a process that people will look at and remember that while NJ TRANSIT may be digging itself out of a hole, there is daylight. She said they continue to focus on that and continue to look to the future. Chair Gutierrez-Scaccetti said they are not forgetting to look at the future to make sure everyone has a means of transportation that is contemporary, modern, clean, scalable, sustainable, and something they can be proud of.

Chair Gutierrez-Scaccetti believes the team at NJ TRANSIT has done a phenomenal job under President & CEO Corbett's leadership. She looks forward to November 7, 2019 and the industry feedback.

President & CEO Corbett said despite day-to-day challenges, things like this make the job fun. The Innovation Challenge was not the only way NJ TRANSIT was working to tackle it. They are also looking to the future of self-driving vehicles. Last week, they presented local municipalities and community-based transportation groups with their first glimpse at autonomous, self-driving shuttles at the New Jersey Council on Special Transportation Expo in Edison.

The shuttles carry up to 15 people, travel at speeds up to 15 miles per hour, are 100 percent electric, and have the potential to add significant value to NJ TRANSIT's service, through additional first and last-mile options. NJ TRANSIT submitted a proposal to the Federal Transit Administration (FTA) for a \$950,000 dollar grant to test three self-driving shuttles as part of a multi-year pilot program. The FTA is scheduled to announce recipients of funding this winter.

NJ TRANSIT honored a hero amongst them, Deputy Chief Edward Landoli. President & CEO Corbett presented Deputy Chief Edward Landoli with a proclamation recognizing him for his heroic actions and unwavering commitment to duty. On October 3, 2019, while he was off duty on his way home, Deputy Police Chief Edward Landoli was traveling westbound on Route 80, when he came upon a motor vehicle accident. Deputy

Police Chief landoli observed the driver's side of the vehicle was wedged against the cement barrier, the passenger side of the vehicle was locked, and the driver was unresponsive. He used his ASP baton to break the window and remove the driver from the vehicle through the passenger side. Once the driver was removed from the vehicle, it was determined he was blue in the face and had no heartbeat.

Deputy Police Chief landoli began CPR compressions at which time the Morris County Park Police arrived. He asked the Morris County Park Police if they had a defibrillator which was retrieved along with oxygen. Deputy Police Chief landoli placed the defibrillator pads on the driver and the Morris County Park Police activated the defibrillator which advised: no shock, continue CPR. Deputy Police Chief landoli again began CPR compressions while the other Police Officer administered oxygen.

After about approximately 200 compressions, Deputy Police Chief landoli felt a heartbeat and CPR compressions were discontinued. When local Emergency Medical Services and New Jersey State Police arrived on the scene, the driver was breathing, and the Emergency Medical Services transported the driver to the hospital. The Board of Directors' proclamation recognized Deputy Police Chief Edward landoli for his bravery and determination to serve and protect all.

President & CEO Corbett invited Raymond Kenny, Senior Vice President of Rail Operations, to the podium to provide a brief status update on Positive Train Control (PTC). President & CEO Corbett noted he would be joined by representatives from NJ TRANSIT's PTC contractors from Parsons and Alstom.

Chair Gutierrez-Scaccetti took a moment to recognize Deputy Chief landoli. She said as a parent, child, and sister, saving a person's life the way Deputy Chief landoli did was more than saving their life. In today's society, it is easy to drive by these things and say it is not their problem, and it wasn't his either, but Deputy Chief landoli stepped up in such a big way and set an example for all of them to remember that going the extra mile, not only means the world to them, but to the family of the person saved as well. She thanked him for being such an awesome representative of not just the NJ TRANSIT Police but the NJ TRANSIT family. What the Board did for him tonight is no measure of what she is pretty certain that the good Lord will give him on that day he meets him. Chair Gutierrez-Scaccetti said what Deputy Chief landoli did was so phenomenal.

Raymond Kenny, Senior Vice President of Rail Operations and General Manager, noted Rail Operations has taken over responsibility for NJ TRANSIT's Positive Train Control (PTC) Project. The new team includes members of the Capital Program group who were among those responsible for the advancing the project as far as it has come to date. PTC is now a part of NJ TRANSIT's railroad infrastructure in terms of rolling stock, and signal, back office, and control systems. The system is being incorporated into NJ TRANSIT's train operations and operational philosophies. Rail will facilitate the extensive testing that is required for certification.

Mr. Kenny assured everyone that the women and men of Rail Operations are applying all resources and energy required to meet the December 31, 2020 deadline. He introduced Mr. William Krull, Parsons Incorporated Vice President and Project Director for NJ TRANSIT Positive Train Control to present a status report.

William Krull provided a presentation (attached) on the status of Positive Train Control (PTC). Parsons Incorporated is a global technology company in the federal and critical infrastructure arenas. For this PTC Project, they have a strong presence in the rail signaling and systems business and that is the part of the business he is representing. Mr. Krull brought along some of his colleagues, who will be working with him on this project, from Parsons Incorporated, as well as Alstom, one of their major subcontractors.

Positive Train Control (PTC) is a system that is applied on top of NJ TRANSIT's existing infrastructure, so existing vital control systems, interlocking, back office dispatch system, communications system, and onboard controls that protect the trains everyday are the underlying safety of the system. This system is applied on top of the existing sub-systems to automatically enforce speed restrictions and automatically enforce stops when stops are necessary. This is a federally mandated interoperable system that is designed and implemented to add an extra level of protection and safety for NJ TRANSIT passengers.

There are four specific systems that make up the NJ TRANSIT PTC System: Back Office, Wayside, Communication Status, and Onboard Status. Back Office is the control system. They add a device that takes temporary speed restrictions and converts them from a fax to the locomotive engineer and additionally it is communicated to the train onboard system that automatically deciphers the speed restrictions and looks to make sure engineers are accurately applying them. The Wayside are devices that goes alongside the existing interlocking, to interface the interlocking back to the PTC system so that the PTC system is aware of all the conditions on the railroad, knows where all trains are, and what signals allow a train to pass and stop. Through the communications network, information is passed through so the train can act on it. In addition, they are adding hardware and software to the communications network that connects this all together. This system is an interconnected communication-based system that requires constant communication between the Back Office, Wayside, and the train. The Communications System is what they are adding to existing communications backbone to ensure that they are connected to all these different pieces.

The Back Office is on schedule with the Hoboken Division pretty much done and the Newark Division on schedule. With regards to the Wayside, they have broken NJ TRANSIT's tracks into different pieces. The first is the demonstration area which is a 17-mile segment of the Morristown Line between Summit and Denville. This segment of track has been in testing for quite some time and they are finishing up the last of the touch-ups on the testing on the Wayside for the demonstration area.

The next areas they are concentrating on are the Morristown and Montclair/Boonton Line. These are in active testing right now and they expect to have these completed by the end of November. As they go into the rest of this year and early next year, they will do Wayside

testing throughout the remaining 11 lines. On the Communications, the towers and wayside radios have been tested one time, and the last of the tests are being updated and finished. The Onboard system is in the process of being tested and will test will be run extensively in November and December. There are other communications devices along the wayside that are regularly tested and periodically must be replaced or adjusted depending on the where the settings are at. Of the three systems discussed tonight, none of them propose a critical path to the current project and none of them propose any outstanding major issues.

Mr. Krull brought to their attention an issue regarding the On-Board Status Software. They were expecting to begin Revenue Service Demonstration (RSD) no later than November 2019. RSD is a process in the PTC system where they go from engineer testing on the system and then into a formal system test that is done in the evening in non-revenue conditions and go into a field functionality test and these tests have been going on for quite some time. After they finish the field functionality testing and have successfully demonstrated they can meet all of the requirements of the PTC Overlay, they would then go into Revenue Service Demonstration. The RSD is when they would actually apply the PTC full technology from end to end from the Back Office through the Communications to the Wayside and the train and back in Revenue Service during regular routine runs. This process was scheduled to start in November of this year.

In September, they were notified by their subcontractor Alstom that the software they were expecting to use for the RSD after going through their full process of preparing that for formal release was not acceptable for RSD. There were anomalies that needed correcting which did not allow complete certification for operation in revenue service. Alstom has updated the software and it has been released it for testing in their lab as of yesterday. Mr. Krull spent several hours watching the testing of the software with the Alstom Engineers and Project Managers. The net impact of this is that they are moving the start of Revenue Service Demonstration from November of this year to March 2020.

This is a major shift in schedule. The good news is that the schedule had been de-risked and the project had been de-risked. This has allowed them to in a quick and timely manner to come to a resolution and a recovery plan that still keeps them in line with the December 31, 2020 certification date. This line goes through a relief process that he explained and into the RSD process that was November and is now March 2020.

The next critical milestone will be releasing a safety plan to the Federal Railroad Administration (FRA) for their review that had been in June in the existing schedule that now remains in June as of today and are confident it will remain in June. The FRA also requires a six-month period to do review and approval of that safety plan and then they issue a certification that will allow full revenue service of the system by December 31, 2020. They have a high confidence level this is still achievable. The issues they found in the software in September have been identified, corrected in the code, and they are now in the process of validating and testing those.

To ensure they meet these deadlines, over the last 18 months, Parsons has added 10 full time resources to the project and increased their test crews from two to five. Mr. Krull has

taken on the role of full-time Project Director on this project, instead of Sector Manager for all rail systems, and will see it through to make sure they hit the 2020 deadline. They have also assigned software experts from their federal group to help review and assess the Alstom software. In addition to the team Alstom already had, they have created a segregated location for their team and enhanced the team with 40 additional resources. They co-located and segregated the PTC team from a normal business area in their plant to an area in the building that is remote from the rest of the crews. They have regular executive involvement on a weekly basis reviewing this project. They also recently assigned a full-time field expert with 30 years plus training on the field to help make sure they complete the needed testing.

Mr. Krull explained this was not the kind of news Parson or himself want to be presenting. He is sure there are concerns about whether they can make this schedule. He has been asked by multiple people what his sense is, and he noted at the beginning of 2018, he had a huge concern regarding whether they could pull it off by the end of 2018. Through a lot of hard work and extra efforts they pulled that off. This situation is not desirable but is not at the level they had in 2018 and they have a very doable schedule. They need to continue to work as a team and execute. He was sorry he did not have better news to present.

Chair Gutierrez-Scaccetti said she thinks she can speak for the other Board members that they certainly appreciate the update from Parsons on PTC, perhaps not as much the news. She noted what transpired in 2018 cannot transpire again next year. She said the issue they have now is not something NJ TRANSIT can help them with. In 2018, they had the resources and ability to help but they do not now since this is their proprietary software. Chair Gutierrez-Scaccetti asked that the team stay in close touch with Kevin Corbett and there be no surprises or delays in giving any information to make certain that they are fully advised of the status of the PTC project.

Chair Gutierrez-Scaccetti said while she appreciates Mr. Krull's confidence, she and the rest of the Board are still a little more cautious, so the Board's expectation is that the team has a lot to show the Board. Their expectation is that the communication with Kevin Corbett and his team be extraordinarily open and honest, which is how it should have been all along and has been, because they have worked hard together almost two-years. Going forward they are now in a critical time.

Mr. Krull said they understand and are committed to staying in touch with Kevin Corbett, Raymond Kenny, and the full team. There was a silver lining out of this. He was informed on Friday, September 13, 2019 that what he was expecting to be RSD software was not going to be RSD software, but by that next Thursday September 19, 2019, they were able to have a plan they could reliably put in front of the FRA lead and by September 26, 2019, they went in front of the FRA Administrator with a much stronger plan. He was not trying to say that was good news from standpoint of them jumping through hoops. However, they have a very strong team between NJ TRANSIT and Parsons that is ready for the curveballs to come.

Public Comments

There were 18 speakers. Board Secretary Zuczek announced in order to give everyone an opportunity to be heard, public comments would be limited to five minutes, and if there were several people speaking on the same topic, two speakers would have five minutes, and all others would have two minutes.

Bernard Hill spoke on behalf of Russell Graddy, who he said is a very powerful individual with tremendous courage and the ability to come there over and over and over again asking NJ TRANSIT to do what they promised. Mr. Hill said he was a witness of this promise of making him whole. He said by now, they all know the story and they sit there time after time and watch people get satisfied for whatever endeavor or situation they go through. He sees that NJ TRANSIT is a strong company and asked why they cannot make this man whole. Mr. Hill said Mr. Graddy has money wrapped up in a situation of a broken promise and a broken dream and asked why they cannot bring him to satisfaction. Mr. Hill said they come before the Board as soldiers of truth and understanding in peace by the grace of God hoping they would open up their hearts with dignity to satisfy this man. He asked that NJ TRANSIT makes him whole and bring his family together and this to an end so there will be no more orange shirts.

Janet McDaniel said imagine no more orange shirts. She came there leaving her job tired and she can see wrinkles that are not age but from tiredness. They were asking for reparations, which means to make amends for a wrong that has been levied against someone. They have talked and talked about that injustice and have asked the Board to open their hearts and walk a mile in Mr. Graddy's shoes. They have talked about how a dream deferred is like a raisin in the sun, it shrivels up and Mr. Graddy had a dream. Ms. McDaniels said she is a licensed clinical social worker and sometimes they talk about making a refrain and using a broken record. She said they continue to say the same thing over and over so the Board can get a clear understanding of where they are.

Ms. McDaniels said Mr. Graddy came before the Board in June when she was not there and he was apparently told that NJ TRANSIT was going to resolve this issue and Mr. Graddy was going to have a resolution, but apparently, he was not satisfied. The analogy she made was when you go to the butcher and want to purchase filet mignon, a good cut of meat, and trust that what the butcher is selling is good. However, when they get home and open the package, you are not satisfied. Ms. McDaniels said Mr. Graddy believed and trusted that the offer was going to give him something good and satisfying, but when he opened his package all he got was ground beef.

Ms. McDaniels said they have been talking about fairness since 2004 and trying to bring this to an end. She quoted Dr. Martin Luther King Jr. as stating, "The measure of woman or a man is not where he or she stands in times of comfort, but rather where he or she stands in times of controversy." She said they probably do not want to give out filet mignon, but they must do better than ground beef. Ms. McDaniels reminded them that injustice anywhere is a threat to justice everywhere.

Russell Graddy said he has been there many, many times and was made a promise by NJ TRANSIT that if he let them tear down his restaurant, that he spent more than a million dollars to put up, they would relocate him. He said that was in 2004 and the offer of \$1.8 million was given to relocate him. Mr. Graddy said if NJ TRANSIT looks into their files, they will see an email from NJ TRANSIT saying they do not agree with the settlement agreement, and have not given the authority to negotiate any agreements with the new tenants in the new bus station. Mr. Graddy said this was wrong because they had obligations in the contract.

Mr. Graddy said NJ TRANSIT's aim was to get him out of his location. He said he won all kinds of clean restaurant awards and was one of the best vendors NJ TRANSIT ever had. Mr. Graddy said he paid his rent on time, paid his debt to Economic Development Authority on time, and did not do anything wrong. He said NJ TRANSIT got him out of the restaurant and reneged on the deal. Mr. Graddy said NJ TRANSIT made a promise that they did not stick to. He said he had a 20-year lease, and this was only seven years into his lease. Mr. Graddy said NJ TRANSIT railroaded and tricked him out of the building. Mr. Graddy said they went to court and naturally he panicked because he trusted NJ TRANSIT's word and the lease that they had.

Mr. Graddy said non-binding arbitrators came out and made a finding and said NJ TRANSIT should give him at least \$1.3 million to go back into his restaurant. However, he said NJ TRANSIT rejected this because they didn't want him there in the first place. Mr. Graddy said he does not know where they got these figures and they destroyed well over a million in assets he left in the building. He said NJ TRANSIT rejected the offer to put him back in for \$1.8 million and the arbitrators award of \$1.3 million was rejected. Mr. Graddy said two-years after he had been put out of his restaurant, he paid the rent invoice sent every month because he did not want to violate any obligations he had under the lease.

Mr. Graddy said he was chasing fairness and justice that was never given to him. He said he went back to court and was out in the hallway and some kind of deal was being made. Mr. Graddy said he went back in and they said he had to agree to the settlement agreement. He said he did not bother to go through the settlement agreement because they had gone to \$1.8 million and \$1.3 million and he was thinking he was agreeing to \$1.3 million, only to come to find out, he was tricked on the record. After all the money he spent on the rent and in debt service paid, Mr. Graddy said NJ TRANSIT was going to give him \$183,000 and this was not for him to spend but was to be put back into the NJ TRANSIT property.

Mr. Graddy said he had to go out and find \$1.5 million to go back into the property and this was the position he was placed in; a position nobody can live through. He said he has been preaching over a decade and NJ TRANSIT cost him millions in lawyer fees, debt service, and rent. Mr. Graddy said he was left with nothing and they destroyed his business, family, and he was never able to do what he intended for his family. He said if anyone can say that courts have been fair with African Americans, he can sell them the Brooklyn Bridge. Mr. Graddy said there was an attorney who was collecting money from him and represented him and ended up being Chairman of the Board of NJ TRANSIT.

Chair Gutierrez-Scaccetti responded to Mr. Graddy's concerns and said she would like to make a couple of points. She said there has never been a commitment from this Board to make Mr. Graddy whole because they cannot define what makes him whole. This case was 15 years old, has been through arbitration and the courts, and not one person sitting on this Board can attest to what happened then. Chair Gutierrez-Scaccetti said they have attempted to be fair with him in settlement, but they have just reached about the most they can do. She said they cannot keep meeting and making offers, only to have the number Mr. Graddy wants go up.

Chair Gutierrez-Scaccetti said they can talk again and are happy to reach out to Mr. Graddy, but there must be a reasonableness now 15-years later in terms of what a Board can do that technically has no legal obligation to do anything. The legal piece of this matter wrapped up well before any of them thought about the fact that they would be sitting at this dais. She believes this is important to consider as he considers the offers that are made to him.

Mr. Graddy thanked the Chair for what she said and said he can appreciate the fact that she was not there, but there were facts that can verify what he was saying because he was not making these allegations up. He said with all that he did right, he would like to know how he ended up in court when he did not commit any crime. Mr. Graddy said he was tricked on the record in court, as an African American, and it cost him a lot of money. He said he was asked by NJ TRANSIT's attorney what does he want to settle the matter, and he sent a letter with his signature telling what he wanted. Mr. Graddy said NJ TRANSIT is nowhere near what he is asking, and it is only a quarter of what he should be getting. Mr. Graddy said he was not willing to settle with what NJ TRANSIT is offering because it is not fair, and they have to try to realize what damage that it cost him. He said he had 13 years left on a lucrative lease and was making between \$85,000 to \$100,000 a month. Mr. Graddy said the Board was not there then, but are now and are responsible for what happened back then.

Chair Gutierrez-Scaccetti said that she was going stop Mr. Graddy at the idea that this Board is responsible for what happened to him 15-years ago. She said they have made a good faith effort to settle this matter to make a wrong a right. A business decision was made that they think they can look at the record and support and there is nothing left to say because there are 16 other speakers, but they did need to correct the record that there was no commitment to make anyone whole. There was a commitment to negotiate and Mr. Graddy was asked for his negotiating position, but that was not a commitment to pay; it was a negotiating position.

Mr. Graddy responded if NJ TRANSIT does not come up with a fair agreement, they are going to see him month after month and it is going to intensify. He said they must do better than what they are doing. Mr. Graddy said he is a family and Godly man and appreciates the people that support him.

Delvon Bradford said he was from Philadelphia and thanked NJ TRANSIT for bringing back the Atlantic City Rail Line service. He asked when they were going to stop cancelling other trains in North Jersey and Penn Station. Mr. Bradford said this was unacceptable and

people were tired of trains being cancelled. He has been working at UPS for two-years in Philadelphia and loves his job. Mr. Bradford said NJ TRANSIT's packages are always coming through his department every single day. He asked if they have ever seen UPS cancelling packages because the plane was unavailable, or do they see packages not coming in from California or Arizona because a pilot is sick. Mr. Bradford said UPS operates 24-7 without any issues, has thousands of employees working, and asked why NJ TRANSIT cannot do it, stating they are the largest transit agency in New Jersey.

Mr. Bradford has an issue with NJ TRANSIT letting the homeless ride the trains for free and the paying passengers getting kicked off the trains if they do not have the fare or the exact change. He said this is not fair to any of them. Mr. Bradford believes conductors need to be retrained on how to speak to passengers properly and said they are tired of being disrespected and asked to get off the train if the NJ TRANSIT app is not working and they do not have a ticket.

Mr. Bradford said his colleagues and he always have problems with the conductors on the train and it is not fair to them. He said they are just peaceful people trying to go into New York on the train because they do not want to take the bus. Mr. Bradford said the conductors on the Northeast Corridor Line are the only ones they have problems with. He said the Atlantic City Rail Line conductors are always peaceful and the Raritan Valley Line conductors give them no problem either. Mr. Bradford said the Northeast Corridor Line conductors have no sense of humor and NJ TRANSIT should retrain their conductors. He said NJ TRANSIT needs to stop saying they are getting new trains and buses and fix the trains they currently have because they work hard and pay money for this system.

Kevin Johnson said he was from Philadelphia, PA and rides NJ TRANSIT's Northeast Corridor daily. He said he was profiled by NJ TRANSIT's conductors and they lied. Mr. Johnson said NJ TRANSIT Police were called saying he was a disturbance and did not have his fare. However, when the Transit Police arrived, they found he did have a ticket and was not a disturbance on the train and this has been going on for some years now. Mr. Johnson said he flooded NJ TRANSIT's office with calls and all they do is throw courtesy tickets at him. He asked if a courtesy ticket make it a better transit system. Mr. Johnson said he has been thrown off the train for having conversations with colleagues and nothing was said that he thought was inappropriate, just regular conversation, but was told they were too loud and disrupting the train. He said he was then thrown off the train and threatened to be arrested, however not to be racist but he does not see any other race other than an African American being treated that way. He said he was refused service on some trains with full fare and thrown off at the next stop for not having his fare and again when Transit Police arrived, he had fare to ride the train. NJ TRANSIT still has not returned several of his telephone calls.

Mr. Johnson said he rides NJ TRANSIT buses and the Atlantic City Rail Line with no problems and there seems to be a problem only when he rides the Northeast Corridor Line. He said he is tired of the false accusations and has tons of videos of conductors getting in his face, attempting to hit or fight him, as well as videos of a conductor trying to fight his brother at New Brunswick Station. Mr. Johnson said if nothing is done, he will forward these

videos to the Press and will go from there. He said he will not tolerate this type of treatment, disrespectful behavior, or being profiled.

Mr. Johnson said NJ TRANSIT talks about Positive Train Control (PTC) and actually they were forced to get PTC. He does not think NJ TRANSIT cares about the safety of the passengers, because if they did PTC would have been implemented years ago. Mr. Johnson said SEPTA has PTC and it was completed about 10-years ago and it was not because they were forced to be removed from the Northeast Corridor, but they did it to make their passengers feel comfortable. Mr. Johnson said NJ TRANSIT advertises getting new buses and rail cars. He said he rode on the River LINE train a couple of times, fire was coming from the brakes, and the turbo blew so they had to alert the operator because the current technology on these trains do not let the operator know. He said the passengers had to call the rescue service themselves because the operator was unaware. Mr. Johnson believes NJ TRANSIT needs to do better, and said they continue to take money from them, but they get nothing back.

Gary Kazin discussed Maintenance, noting they seem to have a lot of on the road failures of trains as of late. He said the Meadows Maintenance facility seems a little short-handed because they are not getting the work done. Mr. Kazin said the statistics in the President's report shows Mean Distance Between Failures (MDBF) in the 80,000 range which should be in the 100,000 range and higher and on the light rail, it shows 6,000 MDBF. He thinks this is ridiculous, this is unreliable service, and said his wife has refused to ride the train for the last year. Mr. Kazin said they were fortunate to have a parallel bus service to get them into New York and his wife uses this bus. He believes the bus is more frequent, faster, more reliable, and less expensive.

Mr. Kazin said he noticed at the Milltown and Morris Plains stations that some of the ticket vending machines have been removed. He said there used to be two and now there is only one. He asked if these vending machines were removed because they need to be fixed, and if so, this is another maintenance issue. Mr. Kazin said these ticket vending machines are operated by a contractor, but it is yet another maintenance problem. He thanked whoever was responsible for improving the lighting in the parking area at Denville. However, he said there is a light pole base near the tower area where a cone sticks up above this base that has been there for 15-years since the pole was knocked off by a car and this base should be cut-off. He said he ran over this and damaged the underside of his car. Mr. Kazin said maintenance is as important as hiring engineers for the trains because the engineers cannot run the trains if they break down.

Sally Gellert is Communications Director for the Lackawanna Coalition. They were pleased for their Raritan Valley Line friends getting their train back on November 4, 2019. They have all been waiting a long time for service that was cancelled due to the Positive Train Control (PTC) installation. They note that the Raritan Valley Mayor has seemed to help this effort and would hope that other mayors for other lines would step up for their constituents to get similar results. They note that the restoration of eight out of nine trains will require more engineers and hope there is still enough engineers with only seven recent graduates so those restorations will not lead to even less reliability elsewhere.

Ms. Gellert said Governor Murphy noted that the graduation of this class made the restorations possible. They ask if the restoration requires all seven engineers and if not, will the others be able to cover some of the cancelled trains on the Northern Line. Specifically, whether running a train to New York Penn requires more engineers than required for trains returning to Newark. They also would like more information about expected graduation dates of the new classes because they know there are more in progress. They want to know how many engineers are in these classes and when and where they will fill in when they graduate.

Ms. Gellert said they congratulate NJ TRANSIT on getting the South Jersey Line almost completely back to pre-PTC service levels. They anxiously wait on when they can expect some of the restoration on the Morris and Essex Lines and further North to return. Just like the Raritan Valley folks, they are tired of waiting. She noted Orrin Getz was not there but if he was, he would ask about the missing MTA express trains on the Pascack Valley Line.

Ms. Gellert said they were glad to hear of plans for station upgrades and fully expect NJ TRANSIT to consider those most in need when setting priorities. They hope the stations that are most in need like Bound Brook, with the outbound building completely closed, get equal treatment as those along the Northeast Corridor with customer input guiding the repair sequence.

Ms. Gellert thanked the Rail Division for realizing NJ TRANSIT was not ready for trains to the new mall in Secaucus. They hope the bus services are successful because the roads cannot take any more cars. Although they did not make a statement at the recent Journal Square and Hackensack Public Hearings on the new bus services, as it is outside their direct purview, some members attended the hearing in Journal Square and were concerned about the atmosphere of the substantial police presence and strict time clock. Ms. Gellert said these concerns were also noted on Twitter as being intimidating. They expect those new to testifying at public hearings would be reluctant to speak out. She believes hearing from riders that do not get to attend Board meetings is surely the best reason to hold public hearings at a station rather than the NJ TRANSIT Headquarters.

Ms. Gellert complimented the Coastguard for making the rush hour bridge closure permanent and to their Senators for pushing for that. She said this should drastically reduce delays from a stacked bridge. Ms. Gellert believes this essentially makes Portal the equivalent of a fixed bridge at those times. They hope NJ TRANSIT and the Port Authority consider building a second bridge nearby before replacing Portal with another two-track bridge so there is four-track capacity and believes Portal can be replaced later. Ms. Gellert said with 450 trains daily, they need to keep ensuring reliable service.

Kareem Boswell provided some pros and cons about NJ TRANSIT. First, he loves NJ TRANSIT because service runs on-time and prices for tickets are reasonable. The first con is that the fare system needs to be fixed. He noted SEPTA's fare system is uniform and set and NJ TRANSIT has three fare structures, one for trains, buses, and light rail.

Mr. Boswell finds it very confusing and wants something done to make it easier for passengers.

Mr. Boswell's second issue was with the River LINE vehicles getting run into the ground. He said there has been one set of vehicles sitting and boarded up for a long time. Mr. Boswell said the Board Members need to go down to the facility in Camden and check on everything. He suggested they go incognito, not show any credentials noting they are NJ TRANSIT Board members and ride the trains as normal passengers to experience what they go through. Mr. Boswell said to check out the nasty conductors on the rail commuter lines, purchase a regular ticket, act normal, and watch how they talk to passengers in and out of the rush hours. Instead of sitting in Headquarters, Mr. Boswell said they need to go out into the field to see what is going on with your own eyes, and take notes. He believes if this is done, they may be able to stop attending the meetings to voice their opinion.

Tim Sevenser is from the Transit Village of Mount Tabor and a Board Member of New Jersey Association of Rail Passengers. He thanked NJ TRANSIT for the restoration of the Raritan Valley service and said it seem like new engineers are being trained, so progress is being made. He provided comments on the draft energy management plan. Mr. Sevenser thinks Chair Gutierrez-Scaccetti and Kevin Corbett need to provide input on this. He thinks the plan in place is just waving hands saying they need to get cars off of the road and talk about electric vehicles.

Mr. Sevenser said he attended a New Jersey Spotlight forum on energy storage and renewables on September 20, 2019 and it was kind of shocking that all the people talked about there was electric transit means electric cars. He said they admitted, when someone asked how do they reduce electricity consumption, that if 50 percent of the current fleet of cars were electric it would double electric consumption. Mr. Sevenser said if they had the same fleet as today and they were all electric cars it would triple electric consumption. He said if they compare this with right now today, NJ TRANSIT already provides electric transit but has an engineer driving it, because they don't have self-driving trains yet.

Mr. Sevenser said the goal of the energy plan is to have 330,000 electric cars on the road five-years from now. He suggested running electric rail, stating it uses 10 times less land than cars and provides transit for zero car households, Mr. Sevenser said Newark is number two and Jersey City has now dropped to number four, while Washington D.C. is number three and Paterson and Elizabeth are in the top 15. He believes they have the capability in North Central New Jersey and all of New Jersey and should be able to not have a car. Mr. Sevenser said NJ TRANSIT needs to get involved in this energy plan because electric rail is critical.

Jeff Tittel, Director of the New Jersey Sierra Club, spoke on behalf of their 24,000 members in New Jersey and 80,000 supporters because they are very concerned about NJ TRANSIT's microgrid proposal in its current form. They strongly believe that if NJ TRANSIT goes forward with a plan for resiliency, they should not be burning fossil fuels, and it is an oxymoron. He said they cannot achieve green transportation by burning dirty energy.

Mr. Tittel said last week Governor Murphy had an epiphany after a year of pressure from some of the people in this room today against the Meadowlands Power Plant, the tall 1,200-megawatt monster up in North Bergen and realized it was a mistake. This facility is only four miles from that and a 140-megawatt power plant in an environmental justice community makes absolutely no sense. He said this is an area that floods and is on a superfund site which makes absolutely no sense since Kopper's Koke is one of the most toxic sites in the United States. Mr. Tittle believes building this power plant on this site since it is capped could expose tons of toxic waste and the pressure from building on it could force toxins into the river because there is only a slurry wall protecting the river from that toxic brew consisting of tens and thousands of gallons.

Mr. Tittel said the second most important reason for not moving forward with this plan is that New Jersey is in a climate crisis. He said he was going to talk earlier about how they have railyards and rail lines that are going to go underwater if they do not deal with the climate and start having a real resiliency plan. Mr. Tittle said they were definitely not going to get there with this plan and calling it resiliency is like calling Ben & Jerry's ice-cream vegan, and it is not. He said this plan is not resilient because in the winter during extreme cold weather natural gas supplies in the Northeast get curtailed and if they have a polar vortex and the grid goes down during a snowstorm the grid will not work.

Mr. Tittel said they think NJ TRANSIT should look to the future and not to the 1970s in modernizing this microgrid. They believe this microgrid should be powered by renewable energy and solar panels could be put in to get the same amount of power for a lot less money, and less than even half with battery back-up. Mr. Tittel said there were also other ways to continue to make sure they have that reliability through wind, using energy storage through fly wheels and fuel cells. He said they can get there without having to pump more pollution into an area that already has too much pollution. Additionally, he said it will be much cheaper and the \$80 million that is borrowed every year from societal benefits is supposed to go toward clean energy.

Mr. Tittel said if NJ TRANSIT electrifies the microgrid and puts in solar panels, they can run them year-round, can run the trains, and NJ TRANSIT could be the first transit system in the country to have solar trains. He said to think about this as a landmark achievement in the battle for clean energy, the battle against climate change, and the battle for moving NJ TRANSIT forward. Mr. Tittel believes this would do a lot more for resilience and making sure trains run on time because they have the power and its green power. He urged NJ TRANSIT not to be fossil foolish and said to move them forward burning natural gas to power electric trains is like taking a Tesla and putting a lawnmower in it.

Brian Sandilands is a Board member from the Passaic River Community Advisory Group. He said he would not talk about Executive Order 23 which takes issue with this microgrid plan which Jeff Tittel spoke about. Mr. Sandilands said Mr. Tittel eluded to the toxic brew that is in the Passaic and Hackensack River systems. He was not going to go into detail about what is below the surface of the river because it would make stomachs turn. In this plan, Mr. Sandilands has seen figures of how much sewer discharge is going to be put into

the river and assumes it will have all types of fungi and chemicals put into the river system. He said it was also a known fact that sea levels are rising, and this is a real problem that will impact communities.

Mr. Sandilands said storm surges are going to be a lot more powerful from every foot of sea level that rises, and NJ TRANSIT is building this plant in a tidal river where storms are going to be even more powerful than Superstorm Sandy. He said there is also a chlorine factory in this neighborhood that is prone to fire. If he were to go out into the street right now and explain the context of this plan to anyone walking on the street, he said every New Jerseyan would say yeah that is how it is.

Mr. Sandilands said he knows NJ TRANSIT likes to say they are creating jobs for the Pipe Fitters Union or Boiler Maker's Union. He said if there was something vaguely along the lines of a new green deal implemented, those unions would get the job de-commissioning all of that infrastructure. He believes this is loss of opportunity. Mr. Sandilands said New Jersey has one of the greatest concentrations of research scientists and engineers anywhere in the world per-capita with Steven's Institute of Technology, New Jersey Institute of Technology, and Rutgers Engineering. He said beyond solar power, there is technology to basically take tiles in front of heavy traffic areas where it converts the energy of people stepping on them and captures it as electricity. Mr. Sandilands said there are many forms of tile and wave energy that can be used. He believes they very much need buffers in the Passaic River so they will not lose the rainwater run-off in this tidal area.

Richard Grant is a resident of Hackensack and a volunteer with the national climate organization 350.org and manages a Facebook group called Climate Action and Clean Energy Update. He arrived there by taking a two-legged train trip and have been a regular rider on the 163 bus, the Pascack Valley Line, and the Hudson Bergen Light Rail. Mr. Grant said NJ TRANSIT has an incredibly difficult job, but he believes it can again achieve the level of excellence that earned it a system innovation award from the American Public Transportation Authority in the year 1997 and 2000.

Mr. Grant believes the NJ TRANSIT microgrid project needs to be rethought from the ground up. He said natural gas was yesterday's solution for today's problem of rapidly reducing omissions to keep global warming in check, and for NJ TRANSIT to go forward with this plan is appalling. He said one week ago, what Governor Murphy said about the proposed North Bergen Liberty generating station was at the end of the day he was opposed to it and just cannot find the justification for building a power plant in the Meadowlands and increasing emissions.

Mr. Grant said there is no way they can tell the public exactly that and yet continue its fraternal twin. He said the Governor's own state agency is planning to power certain electric trains and signal systems when the main grid is down with a gas fire power plant and that second plant would similarly omit gases and other pollutants that would hurt the environment and the health of state residents. Mr. Grant said it would also be similarly sited in the low-lying area prone to flooding and promise a relatively small amount of permanent jobs, the only difference would be it would be generated and consumed in the same state.

Ken Dolsky asked a few questions about the microgrid including to what extent they analyzed solar power as a source of energy for the microgrid. He noted he read the DEIS which states that solar is not practical or reasonable and it does not meet the need to handle rapidly fluctuating loads, did not meet needs for reliability and costs, and was not retained for analysis. Mr. Dolsky asked if they totally ignored solar, how he can get more information about whether NJ TRANSIT did something.

Chair Gutierrez-Scaccetti responded to Ken Dolsky that they will not enter into a dialogue from the dais on this conversation, but he can speak to staff when he is finished, and they can give that information.

Mr. Dolsky's second question was whether NJ TRANSIT has done a business case that includes all costs, revenue, and profits, especially the revenue and profit from the plan to sell power back to the grid 24-7 since this plant will be running 24-7. He said this grid's only purpose is to power the trains during those very, very few periods when commercial power is not available, and also asked if they have done a financial analysis that they can see.

Again, Chair Gutierrez-Scaccetti said the staff will answer his questions on this.

Mr. Dolsky said NJ TRANSIT's arguments in the DEIS on why they should be able to emit 0.6 million tons per year of greenhouse gas is rather illogical and ridiculous. He said the argument is only that it is a tiny amount and therefore will not harm anybody. Mr. Dolsky said by this logic no individual or company around the world should bother to concern themselves about making any efforts to reduce greenhouse gases and this thinking is absurd and will lead to total global disaster.

Paula Rogovin is from the Coalition to Ban Unsafe Oil Trains. Their focus has been on CSX and freight trains issues. Their group was one of many groups who worked so hard to get Governor Murphy to oppose the North Bergen Liberty generating station which they call the Meadowlands Power Plant. They are so glad that Governor Murphy spoke out against the dirty frack gas power plant. She quoted Governor Murphy last Wednesday in *The Record* "I have to say definitively this project simply doesn't make sense for New Jersey, at a very personal level I am opposed to it." Ms. Rogovin said students and hundreds of people marched and demonstrated, signed petitions, called on the Governor, got 52 towns to pass resolutions opposing the power plant, made telephone calls, and wrote letters. Additionally, she said students held forums in schools and towns explaining the dangers of frack gas to people's lives, health, and environment.

Ms. Rogovin said NJ TRANSIT's power plant proposed for the Meadowlands and Kearny would impose the same dirty dangerous emissions as the North Bergen Plant. She said people with asthma, lung conditions, and heart conditions would be in great danger, maternal and infant health would be in danger, and there would be many other hazards. Since Governor Murphy opposes this power plant and said it is not good for New Jersey, she believes there is absolutely no reason for the Governor, Members of the NJ TRANSIT Board, or Department of Environmental Protection to support this plan that now uses out-

of-date frack natural gas. Ms. Rogovin said they must not send trains that use dirty diesel and other fossil fuel with energy from coal or gas and these are relics from the past.

They want solar rails, trains that use solar panels, solar storage, and would be part of a microgrid. She said such trains are already used in Australia, Austria, Holland, and elsewhere. Ms. Rogovin said they have talented New Jersey students at high schools and universities that can work with NJ TRANSIT to make solar rail and New Jersey even better. She said New Jersey would serve as an example to Amtrak and other rail agencies around the country and world. Ms. Rogovin said the \$400 million for NJ TRANSIT is a part of a \$500 million resiliency grant that Senator Menendez fought for and got.

Janet Glass spoke on behalf of nine congregations in Bergen and Hudson Counties and six religious organizations called Green Faith. They are all opposed to building any new fossil fuel power plants for energy in the State of New Jersey. Ms. Glass read pieces from an article recently published in *The New Yorker Magazine* by Bill McKibben. She said Bill McKibben is a distinguished scholar in Environmental Studies and he said, burning gas produces less carbon dioxide than burning coal, but carbon dioxide is not the only greenhouse gas, the second most important contributor to climate change is methane and when you frack the countryside for natural gas to burn power plants lots of methane leaks out at every stage of the process, from drilling to combustion, so less carbon dioxide, more methane. According to Bill McKibben, Ms. Glass said they have wasted a decade on a strategy that reduced carbon dioxide emissions but had no net effect on total emissions of greenhouse gases. She said Bill McKibben says they have no more decades to waste, renewable energy only.

Cassandra Worthington is an organizer with Food and Water Action. They have 6,700 members and supporters in the State of New Jersey. They are happy to be a part of two very important coalitions, Don't Gas the Meadowlands and Empower New Jersey. They were there to talk about NJ TRANSIT's proposed plant for the NJ TRANSIT microgrid. She said this grid would produce 140 megawatts of power from frack gas in the Kearny Meadowlands and this project would be built using \$409 million from the Superstorm Sandy Disaster Fund.

Ms. Worthington said the irony is not lost on anyone, if Governor Murphy is not going to use almost half a billion dollars of free money on renewable energy, how on earth is he going to transition the State to 100 percent Clean Energy by 2050. She said everyone knows there is no such thing as free money, this money comes from taxpayers. Ms. Worthington said the emissions associated with this project would make it one the largest contributors to climate change in the State and the plant would emit almost 600,000 tons of greenhouse gases each year. She said Hudson County already has an (F) rating from the American Lung Association in ground level ozone, also known as smog and it is unfair for this administration and NJ TRANSIT to put another source of pollution in an area that already has some of the worst air quality in the State.

Ms. Worthington believes building a new frack gas power plant would pollute for decades to come, reverse the progress of the States Clean Energy and Climate goals, and would lock

them into fossil fuels for another 30 or more years. She said the science is clear and they need a transition to renewable energy as quickly as possible.

Sophia Messina is a Senior at Bergen Tech and lives in Rutherford, a town located in the Meadowlands Region of Bergen County, less than five miles away from Kearny. Ms. Messina said air pollution is not stopped by a town's border and her community at large would experience the adverse effects of a frack gas power plant in Kearny. Ms. Messina said she developed a caring for the environment at a young age -picking up trash from the ground and encouraging her family to recycle. She said it was not until she began high school that she understood the magnitude of the appalling current and projected effects of climate change. She said she feels upset, scared and overwhelmed, but not hopeless. When she joined her high school's environmental club, she met other youth who shared her passion and felt the same responsibility to save the planet.

Ms. Messina said she represents the students from Bergen and Hudson County who came together and organized a 500-person March protesting the Meadowlands Power Plant in North Bergen. A frack gas power plant would be the biggest contributor to climate change in New Jersey. Ultimately, their efforts successfully influenced the permit to be withdrawn. Governor Murphy recently announced that he is unequivocally opposed to building the North Bergen Power Plant and increasing emissions.

Ms. Messina said she cannot put into words how happy she is about this victory, but the fight is not over yet. Although Governor Murphy stated the North Bergen Power Plant simply does not make sense for New Jersey, she said he has proposed another frack gas power plant in Kearny. While she appreciates funds going towards public transportation, climate change is too imminent of an issue to be creating any new energy source that is not completely clean. She said it is counter intuitive that NJ TRANSIT would use Federal Funds intended for hurricane relief to build something that greatly contributes to climate change, the main cause of abnormal weather patterns such as Hurricane Sandy. She said it is mind boggling that taxpayer dollars are proposed to go to something that would destroy the environment and have substantial negative impact on health. Ms. Messina said the important fact is that Hudson County already has an (F) Rating for its ozone layer and is clearly a victim of environmental injustice in New Jersey. She said this contradicts another promise that Governor Murphy made, the promise to eradicate this injustice which is characterized by systematic racism in favor of high-income communities.

Sid Madison is a climate activist and said there should not be any more fossil fuel infrastructure built at all. He said you cannot have what climate scientists call "business as usual", which building more fossil fuel is and still stop climate change. Mr. Madison said scientists said there are about 12-years to cut about 50 percent of greenhouse gases. He said you cannot do both, cut greenhouse gases and add greenhouse gases with more fossil fuel infrastructure. Mr. Madison said Rethink Energy in New Jersey said there is no problem having renewable energy, that should be the way of doing things. Mr. Madison said if the rest of the world does that, it will destroy the world for the rest of the people.

At approximately 8:35 p.m., Chair Gutierrez-Scaccetti announced they would take a brief break. Chair Gutierrez-Scaccetti resumed the meeting at approximately 8:46 p.m.

Advisory Committee Report

Ron Monaco, Vice Chair of the North Jersey Passenger Advisory Committee, provided the Advisory Committee Report since Chair Suzanne Mack could not attend the meeting. Mr. Monaco said the Advisory Committee met on September 26, 2019. He said the Committee met Matthew McHale, NJ TRANSIT's Federal and State Legislative Liaison. Mr. Monaco was very pleased with Mr. McHale's appointment and believes his communication with the Legislature is vitally important for NJ TRANSIT's future. Mr. Monaco said this was focused on in years past and he is glad to see that it has been brought to the forefront again.

Mr. Monaco said Jack Trabachino discussed the intricate choreography that goes on at Penn Station with the Amtrak track work. He said they viewed computer simulations of trains coming and going in Penn Station.

Mr. Monaco said Alan Maiman discussed the work that is being done for American Dream with the myriad of bus connections to that facility.

Mr. Monaco said it is great to see NJ TRANSIT's relationship improving with Amtrak as shown with the increase on Capital Projects, most notably the Elizabeth Station renovations, which he is happy to see along with other station renovations that are planned.

Also, Mr. Monaco noted the downward trend in train cancellations is encouraging and said people do not realize how long it takes to qualify an engineer to run a train. Mr. Monaco is pleased to see the light at the end of the tunnel on cancellations.

Mr. Monaco said he is a member of an organization of Mayors along the Route 22 and Route 78 Corridors in Hunterdon County and they are looking at various issues on those corridors, most notably transportation. The group has a trip planned from High Bridge to Newark on November 14, 2019 with all the Mayors on those corridors. They are also picking up the Raritan Valley Coalition Mayors along the way for them to experience what it is like for their constituents to take the Raritan Valley Line to get to work in the morning.

Mr. Monaco said the Advisory Committee has complete support for the Gateway Tunnel and they fully realize the need for new tunnels in order to do the one-seat ride that the Raritan Valley is so eager to get. Mr. Monaco said there might be some things that can be done to make that ride less arduous. He said it is a tough ride from Hunterdon County all the way to Newark and New York when you make every stop. He said in years past the train skipped stops and any train from Hunterdon County would begin to go express and normally stop at Cranford and Westfield to make it a little more palatable. He thinks this can be done with a modest increase in service before NJ TRANSIT has the ability to run one-seat rides into Manhattan.

Mr. Monaco also discussed Affordable Housing. He said all of the municipalities along the corridor are doing Affordable Housing Mandates and he thinks there is a great future, but they need to entice people on the Raritan Valley Line. Mr. Monaco said there are 1800 Housing Units being put in Branchburg alone for Affordable Housing and there are 600 Units being put in Whitehouse, 72 of which are complete, and are within walking distance of the Whitehouse train station. He said there are similar units going up in areas around High Bridge, Lebanon and Annandale and Clinton Townships. Mr. Monaco asked NJ TRANSIT to consider this modest increase in service to entice more riders onto the line and he thinks it will be a win-win for the towns as well as NJ TRANSIT. Mr. Monaco looks forward to the next joint meeting with the South Jersey Passenger Advisory Committee in December 2019.

Board Operations and Customer Service Committee Report

Board Member Wilton presented the report for the Operations and Customer Service Committee. The Operations and Customer Service Committee received an update on trends, analysis, and actions for rail, bus, light rail and Access Link. The Committee also received an update on Social Media activities, Cost of Service, and the 2019 Spring Customer Satisfaction Survey.

Board Administration Committee Report

Board Member Ajmani presented the report for the Administration Committee. The Administration Committee received a Financial Update. This included an update on ridership and revenue, cost of service key performance indicators, major balance sheet items, and attrition and hires.

Capital Planning, Policy, and Privatization Committee Report

Chair Gutierrez-Scaccetti presented the report for the Capital Planning, Policy and Privatization Committee. The Committee discussed the board items for the: NJ TRANSIT Resilience Program: Long Slip Fill and Rail Enhancement Phase 1 Combined Sewer Overflow Extension and Canal Filling: Construction Contract Award; NJ TRANSIT Resilience Program: Construction Management Services for the Raritan River Bridge Replacement Project; Maplewood General Office Building (GOB) Bus Operations Control Center: Construction Contract Award; Undergrade Railroad Bridges: Engineering Services to Perform In-depth Inspections, Evaluations, and Ratings; Replacement of Mason and Building 9 Substations Oversight Advisor – Professional Services Contract Award; and Morris Avenue Bridge Rehabilitation Project Contract Amendment.

Action Items

1910-61: NJ TRANSIT RESILIENCE PROGRAM: LONG SLIP FILL AND RAIL ENHANCEMENT PHASE 1 COMBINED SEWER OVERFLOW EXTENSION AND CANAL FILLING: CONSTRUCTION CONTRACT AWARD

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #1910-61. Eric Daleo recommended approval of Action Item #1910-61: NJ TRANSIT Resilience Program: Long Slip Fill and Rail Enhancement, Phase 1 Combined Sewer Overflow Extension and Canal Filling.

Mr. Daleo provided a presentation (attached). He said this was the first of their Competitive Resilience Projects funded by the Federal Transit Administration to go into construction. Long Slip Canal is a 2,000-foot former barge canal adjacent to the Hoboken Yard and Terminal. It was constructed in the 19th century and critical to the movement of goods before the advent of tunnels and major port development and sits in NJ TRANSIT's yard unused today. They know that when Hoboken Terminal and Yard was inundated with storm surge following Superstorm Sandy causing hundreds of millions of dollars and direct damage to infrastructure and equipment, that this former barge long abandoned served as a conduit for water which further exacerbated the storm surge.

When the 19th century builders constructed this canal, they did it with wood timber cribbing and it is a modern marvel that this canal has withstood the time and elements, but time is no longer on their side. The aging bulkhead and retaining wall between Hoboken Yard and Long Slip canal has experienced multiple failures over the years, the first in 2009 followed by two collapses in 2017, for which NJ TRANSIT must mobilize interim emergency repairs.

The first picture on the left of the presentation shows the collapse that occurred in March of 2017 within feet of the adjacent track, causing the closure of an active rail track, stranding four coaches and resulting in the loss of gas and power to the wheel true facility in Hoboken. They pursued interim repairs.

In October of 2017, in the picture on the right in the presentation, they experienced a second partial collapse 25 feet from adjacent tracks. They know the risks of inaction and staff was proposing to the Board a solution. The slide represents a plan that depicts the location of Long Slip Canal in relation to the heart of the Hoboken Terminal and Yard. The green represents NJ TRANSIT's future vision and goals for this project. The projects seek to enhance the resilience of commuter rail service to and from the Hoboken Terminal by providing service longer in advance of, and resuming service immediately following storm events. They will provide additional station and platform access during system wide service disruptions and harden terminal infrastructure against storm surge as the Long Slip Canal will be eliminated as a conduit for inundation of the yard and terminal.

Mr. Daleo asked the Board to authorize the first phase of this project. This Phase 1 project is a critical first step to delivering the overall project goals by providing, literally the foundation upon which the new station will be built. This unused collapsing flood surge conduit will one day hold six tracks, three ADA high level platforms, the first high level platform at Hoboken Terminal, and other improvements. The ultimate vision when the first and second phases are completed will look like the rendering on the screen.

To accomplish this work NJ TRANSIT secured \$146.5 million in Federal funding from the Federal Transit Administration. Today was the first step. The authorization before the Board, for Phase 1 of 2, included the extension of the existing Jersey City Municipal Utilities Authority Combined Sewer outfall by 1,800 feet and the placement of clean fill material into the Long Slip Canal to an elevation well above the mean sea level.

Approval was requested to enter into NJ TRANSIT Contract No. 18-035X with Walsh Construction Company II, LLC of Little Falls, New Jersey, for the construction of the Long Slip Fill and Rail Enhancement Phase 1 Combined Sewer Overflow Extension and Canal Filling Project in the amount not to exceed \$39,573,822.00, plus 10 percent for contingencies, subject to the availability of funds.

Board Member Brian T. Wilton made a motion to approve it, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Wilton	Ajmani	Greaves
Yes	Yes	Yes	(Non-Voting Member)

1910-62: NJ TRANSIT RESILIENCE PROGRAM: CONSTRUCTION MANAGEMENT SERVICES FOR THE RARITAN RIVER BRIDGE REPLACEMENT PROJECT

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #1910-62. Eric Daleo recommended approval of Action Item #1910-62: NJ TRANSIT Resilience Program: Construction Management Services for the Raritan River Bridge Replacement Project.

Built in 1908, the existing Raritan River Bridge was not designed to withstand lateral forces due to ocean surges. Therefore, it is necessary to construct a new bridge more resilient to future extreme weather events.

Approval was requested to enter into a contract with AECOM/MOTT MACDONALD Joint Venture Team to provide construction management services for all three construction services contracts for the Raritan River Bridge Replacement Project at a cost not to exceed \$33,953,533.95, plus five percent for contingencies, subject to the availability of funds.

Approval of this construction management contract will assist NJ TRANSIT with building a new, electrified two-track moveable bridge across the Raritan River that will link to the existing North Jersey Coast Line, and provide much needed support in overseeing the construction of this critical new bridge and the demolition of the existing bridge.

Board Member Brian T. Wilton made a motion to approve it, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Wilton	Ajmani	Greaves
Yes	Yes	Yes	(Non-Voting Member)

1910-63: MAPLEWOOD GENERAL OFFICE BUILDING (GOB) BUS OPERATIONS CONTROL CENTER: CONSTRUCTION CONTRACT AWARD

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #1910-63. Eric Daleo recommended approval of Action Item #1910-63: Maplewood General Office Building (GOB) Bus Operations Control Center: Construction Contract Award.

Approval was requested to enter into NJ TRANSIT Contract No. 19-024X with Frankoski Construction of East Orange, New Jersey, for the construction of the Bus Operations Control Center in an amount not to exceed \$8,133,259.67, plus five percent for contingencies, subject to the availability of funds.

Board Member Brian T. Wilton made a motion to approve it, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Wilton	Ajmani	Greaves
Yes	Yes	Yes	(Non-Voting Member)

1910-64: UNDERGRADE RAILROAD BRIDGES: ENGINEERING SERVICES TO PERFORM IN-DEPTH INSPECTIONS, EVALUATIONS, AND RATINGS

President & CEO Corbett introduced Raymond Kenny, Senior Vice President/General Manager, Rail Operations, to present Action Item #1910-64. Raymond Kenny recommended approval of Action Item #1910-64: Undergrade Railroad Bridges: Engineering Services to Perform In-Depth Inspections, Evaluations, and Ratings.

Approval was requested to enter into three separate contracts with HNTB Corporation of Parsippany, New Jersey, KS Engineers of Newark, New Jersey, and TransSystems of Rutherford, New Jersey, to perform in-depth bridge inspections, evaluations, and ratings of 143 railroad bridges for a total cost of \$2,938,743.73, plus five percent for contingencies, subject to the availability of funds.

Board Member Brian T. Wilton made a motion to approve it, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Wilton	Ajmani	Greaves
Yes	Yes	Yes	(Non-Voting Member)

1910-65: REPLACEMENT OF MASON AND BUILDING 9 SUBSTATIONS – PROFESSIONAL SERVICES CONTRACT AND SUPPORT SERVICES CONTRACT AWARD

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #1910-65. Eric Daleo recommended approval of Action Item #1910-65: Replacement of Mason and Building 9 Substations – Professional Services Contract and Support Services Contract Award.

Approval was requested to enter into a contract with Burns Engineering Incorporated of Philadelphia, Pennsylvania, for Oversight Advisor Services in connection with the design and construction of the new Mason and Building 9 Substations in Kearny, NJ, at a cost not to exceed \$2,079,320, plus five percent for contingencies, subject to the availability of funds.

Approval was also requested to enter into a contract with American Electrical Testing Co., of Boonton, New Jersey, for transitional technical review support services at a cost not to exceed \$650,000, subject to the availability of funds.

Authorization of these contracts will allow for oversight and review of design and construction activities by PSE&G and their consultants of the new Mason and Building 9 substations.

The new substations will improve electric reliability of traction power substations and enhance resilience and power supply to the Rail Operations Center and Meadows Maintenance Complex facilities.

Board Member Brian T. Wilton made a motion to approve it, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Wilton	Ajmani	Greaves
Yes	Yes	Yes	(Non-Voting Member)

1910-66: MORRIS AVENUE BRIDGE REHABILITATION PROJECT: AMENDMENT TO NJ TRANSIT CONTRACT NO. 15-009X

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #1910-66. Eric Daleo recommended approval of Action Item

#1910-66: Morris Avenue Bridge Rehabilitation Project: Amendment to NJ TRANSIT Contract No. 15-009X.

Approval was requested to increase the value of a contract with IEW Construction Group of Trenton, New Jersey, for the Morris Avenue Bridge Rehabilitation Project in the amount of \$1,736,000 with the total contract value of \$8,608,225.18.

Board Member Brian T. Wilton made a motion to approve it, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Wilton	Ajmani	Greaves
Yes	Yes	Yes	(Non-Voting Member)

1910-67: PERSONAL INJURY CLAIM OF LUIS ARZUAGA

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer, to present Action Item #1910-67. William Viqueira recommended approval of Action Item #1910-67: Personal Injury Claim of Luis Arzuaga.

Approval was requested to settle the claim of Luis Arzuaga, through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member Brian T. Wilton made a motion to approve it, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Wilton	Ajmani	Greaves
Yes	Yes	Yes	(Non-Voting Member)

1910-68: PERSONAL INJURY CLAIM OF NOELIA RODRIGUEZ

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer, to present Action Item #1910-68. William Viqueira recommended approval of Action Item #1910-68: Personal Injury Claim of Noelia Rodriguez.

Approval was requested to settle the claim of Noelia Rodriguez, through her attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member Brian T. Wilton made a motion to approve it, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Wilton	Ajmani	Greaves
Yes	Yes	Yes	(Non-Voting Member)

Adjournment

Since there were no further comments or business, Chair Gutierrez-Scaccetti called for adjournment and a motion to adjourn was made by Board Member Brian T. Wilton, seconded by Board Member Dini Ajmani, and unanimously adopted. The meetings were adjourned at approximately 9:06 p.m.

**NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
REGULARLY SCHEDULED BOARD OF DIRECTORS' MEETINGS**

OCTOBER 16, 2019

MINUTES

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➤ CALL TO ORDER	-
➤ SAFETY ANNOUNCEMENT	-
➤ PLEDGE OF ALLEGIANCE TO THE FLAG	-
➤ EXECUTIVE SESSION AUTHORIZATION	55406
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	55407
➤ PRESIDENT & CEO'S MONTHLY REPORT	55408
➤ PUBLIC COMMENTS	-
➤ ADVISORY COMMITTEE REPORT	-
➤ BOARD COMMITTEE REPORT	-

ACTION ITEMS

1910-61	NJ TRANSIT RESILIENCE PROGRAM: LONG SLIP FILL AND RAIL ENHANCEMENT, PHASE 1 COMBINED SEWER OVERFLOW EXTENSION AND CANAL FILLING: CONSTRUCTION CONTRACT AWARD – Authorization to enter into NJ TRANSIT Contract No. 18-035X with Walsh Construction Company II, LLC of Little Falls, New Jersey, for the construction of the Long Slip Fill and Rail Enhancement Phase 1 Combined Sewer Overflow Extension and Canal Filling Project in the amount not to exceed \$39,573,822.00, plus ten percent for contingencies, subject to the availability of funds.	55436
1910-62	NJ TRANSIT RESILIENCE PROGRAM: CONSTRUCTION MANAGEMENT SERVICES FOR THE RARITAN RIVER BRIDGE REPLACEMENT PROJECT – Authorization to enter into NJ TRANSIT Contract No. 18-015 with AECOM/MOTT MACDONALD Joint Venture Team to provide construction management services for all three construction services contracts for the Raritan River Bridge Replacement Project at a cost not to exceed \$33,953,533.95, plus five percent for contingencies, subject to the availability of funds.	55444

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
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NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
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- 1910-63 MAPLEWOOD GENERAL OFFICE BUILDING (GOB) BUS OPERATIONS CONTROL CENTER: CONSTRUCTION CONTRACT AWARD** – Authorization to enter into NJ TRANSIT Contract No. 19-024X with Frankoski Construction of East Orange, New Jersey, for the construction of the Bus Operations Control Center in an amount not to exceed \$8,133,259.67, plus five percent for contingencies, subject to the availability of funds. **55449**
- 1910-64 UNDERGRADE RAILROAD BRIDGES: ENGINEERING SERVICES TO PERFORM IN-DEPTH INSPECTIONS, EVALUATIONS, AND RATINGS** – Authorization to enter into NJ TRANSIT Contract No. 19-040A with HNTB Corporation of Parsippany, New Jersey, 19-040B with KS Engineers of Newark, New Jersey, and 19-040C with TranSystems of Rutherford, New Jersey, to provide in-depth inspections, evaluations, and ratings of 143 undergrade railroad bridges at a cost not to exceed \$837,000.00, \$1,107,402.73, and \$994,341.00, respectively, for a total of cost of \$2,938,743.73, plus five percent for contingencies, subject to the availability of funds. **55450**
- 1910-65 REPLACEMENT OF MASON AND BUILDING 9 SUBSTATIONS OVERSIGHT ADVISOR – PROFESSIONAL SERVICES CONTRACT AWARD** – Authorization to enter into NJ TRANSIT Contract No. 19-003 with Burns Engineering Incorporated of Philadelphia, Pennsylvania, for Oversight Advisor Services in connection with the design and construction of the new Mason and Building 9 Substations in Kearny, NJ, at a cost not to exceed \$2,079,320, plus five percent for contingencies, subject to the availability of funds. **55452**
- Authorization to enter into NJ TRANSIT Contract No. 20-021 with American Electrical Testing Co., of Boonton, New Jersey, for expanded staff augmentation, specialized engineering, and technical support services at a cost not to exceed \$650,000, subject to the availability of funds.
- 1910-66 MORRIS AVENUE BRIDGE REHABILITATION PROJECT CONTRACT: AMENDMENT TO NJ TRANSIT CONTRACT NO. 15-009X** – Authorization to increase the value of NJ TRANSIT Contract No.15-009X with IEW Construction Group of Trenton, New Jersey, for the Morris Avenue Bridge Rehabilitation Project in the amount of \$1,736,000 with the total contract value of \$8,608,225.18. **55456**
- 1910-67 PERSONAL INJURY CLAIM OF LUIS ARZUAGA** – Authorization to settle the claim of Luis Arzuaga through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds. **55458**

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
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1910-68 PERSONAL INJURY CLAIM OF NOELIA RODRIGUEZ – Authorization to settle **55459**
the claim of Noelia Rodriguez through her attorney, at an amount discussed in
executive session. The Attorney General has approved the proposed settlement,
subject to the availability of funds.

➤ **ADJOURNMENT**

EXECUTIVE SESSION AUTHORIZATION

BE IT HEREBY RESOLVED pursuant to N.J.S.A. 10:4-12 and N.J.S.A. 10:4-13 that the Board of Directors of the New Jersey Transit Corporation hold an executive session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to, the Personal Injury Claim of Luis Arzuaga and the Personal Injury Claim of Noelia Rodriguez; and

BE IT FURTHER RESOLVED that it is expected that discussions undertaken at this executive session could be made public at the conclusion of these matters as appropriate.

APPROVAL OF MINUTES

WHEREAS, the By-Laws provide that the minutes of actions taken at meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors be approved by the Board; and

WHEREAS, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the September 12, 2019 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. were forwarded to the Governor on September 17, 2019;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the September 12, 2019 New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Gutierrez-Scaccetti, Commissioner
Kevin S. Corbett, President & CEO

NJTRANSIT
One Penn Plaza East
Newark, NJ 07105-2246
973-491-7000

TO: BOARD OF DIRECTORS
FROM: KEVIN S. CORBETT 
DATE: OCTOBER 16, 2019
SUBJECT: PRESIDENT & CEO'S REPORT – OCTOBER 2019

I'm pleased to report that rail service performance continues to trend in the right direction. While we still have a way to go, train cancellations are down 35 percent in the first nine months of 2019 compared to 2018. In September, cancellations were down 17 percent from last year, and on-time performance increased about one percent, to more than 92 percent. We achieved all this despite the fact that NJ TRANSIT today has essentially the same number of locomotive engineers as we had during the same period last year.

But during this time, we've been training more engineers than ever before. Earlier today, I was proud to join Governor Murphy to celebrate seven trainees who have successfully passed the classroom portion of training and are poised to soon become full-fledged engineers. Overall, during the two-year period between 2019 and 2020, we will graduate seven classes of locomotive engineers – the same number of classes that graduated in the previous five years, combined.

As we continue to improve service for our customers, we're working to be more responsive than ever to their requests and their needs. Two days ago, we announced the restoration of the Raritan Valley Line's (RVL) off-peak, one-seat ride into Penn Station New York. We thank our RVL customers for their patience while we worked to restore the service as soon as we could do so reliably and predictably.

Last month, we announced open applications for our new Customer Advisory Board, or CAB. The CAB will be led by our Customer Advocate and Chief Customer Experience Officer, and made up of a diverse group of regular, NJ TRANSIT customers. We think this new customer Board will provide invaluable insight to NJ TRANSIT staff, and ensure customers have a voice in decisions impacting service delivery. Applications will be accepted through October 25th at njtransit.com/cab. The initial meeting is expected to take place in early 2020.

On September 30th, we commenced construction on a major capital project at our Elizabeth Station. This \$71 million reconstruction effort is NJ TRANSIT's first-ever commuter rail Design-Build station project. It includes new station buildings, longer platforms for additional boarding capacity, new security and communications systems, improved accessibility for people with disabilities, and new artwork.

Two weeks ago, we issued a Request for Expressions of Interest to identify private developers to implement Transit Oriented Development projects on agency-owned property along our 37-mile River LINE light-rail system. Our continued efforts in mixed-use development, and our future collaboration with the State Economic Development Authority, support Governor Murphy's economic initiative to develop under-utilized properties around transit facilities, optimize the value of assets across the state, and increase non-farebox revenue.

NJ TRANSIT submitted a revised financial plan to the Federal Transit Administration (FTA) for the Portal North Bridge on September 13th, and we're confident this plan satisfies the Administration's requirements. I've had some very positive meetings in recent weeks with K. Jane Williams, FTA Acting Administrator. We eagerly await federal approval to move this critical, shovel-ready project forward.

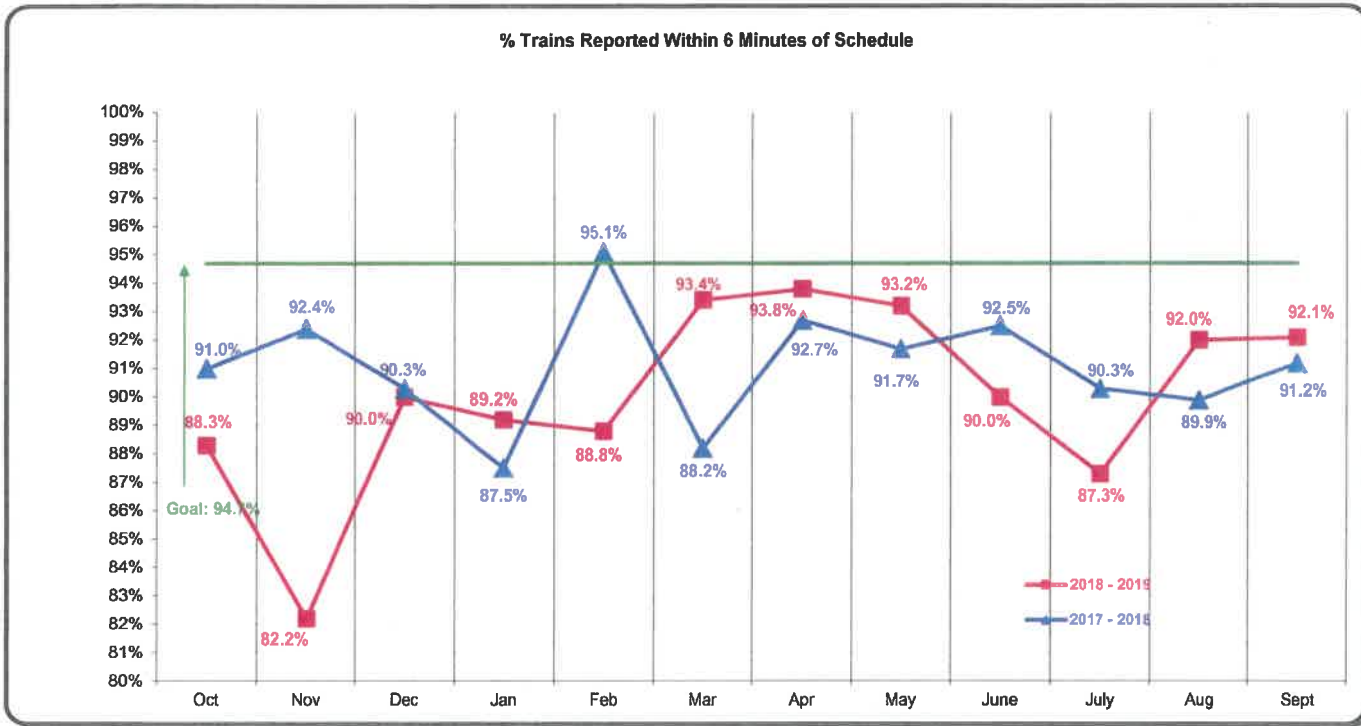
American Dream has its limited opening on October 25th, and we'll be closely monitoring ridership to ensure that service remains commensurate with demand. As we work to provide robust public transit and increase capacity to and from American Dream and Met-Life Stadium, we're looking to provide more innovative and sustainable long-term solutions, as well. Under Chair Gutierrez-Scaccetti's leadership, yesterday NJ TRANSIT launched an Innovation Challenge during the APTA conference in New York City. Through this Challenge, we're exploring the possibility of a public-private partnership to move approximately 20,000 people per hour between Secaucus and Met-Life Stadium, which is about double our current capacity on rail. We will keep you updated on the progress of this this exciting initiative as it moves forward.

PRESIDENT & CEO'S MONTHLY REPORT OCTOBER 16, 2019

- 1. PERFORMANCE MEASURES**
- 2. MEAN DISTANCE BETWEEN FAILURES**
- 3. DBE/MBE PROGRAM**
- 4. EMPLOYEE RECOGNITION**

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL OCTOBER 2017 - SEPTEMBER 2019



	August, 2019	September, 2019	% Change
One-Month Comparison	92.0%	92.1%	0.1%
	2018	2019	# Change
September Comparison	91.2%	92.1%	0.9%
	2017-2018	2018-2019	# Change
12-Month Average Oct., 2018 - Sept., 2019	91.1%	90.0%	-1.1%

Analysis:

Rail On-Time Performance was 92.1% for September, 2019. Of the 16,900 trains scheduled to operate, 15,557 were on time, while 1,343 trains (or 7.9%) were delayed. Key causes included:

- Amtrak Switch Failure, NJT Staff Shortage and Heavy Travel contributed to 74 delays resulting in 85.0% OTP on September 9.
- Amtrak Track Failure, NJT Shortage of Equipment, Manpower Shortage, and PTC contributed to 80 delays resulting in 84.8% OTP on September 17.
- Amtrak Portal Bridge Failure and Metro North Signal Failure contributed to 64 delays resulting in 85.0% OTP on September 25.

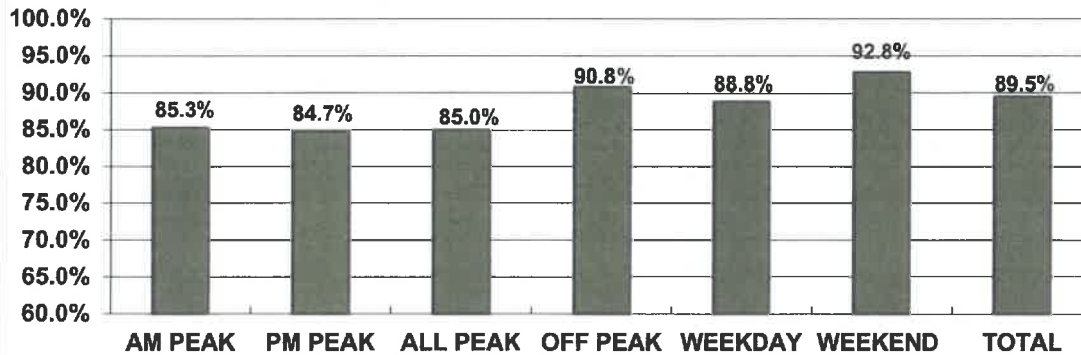
The 12-month average for Rail On-Time Performance was 90%.

ON-TIME PERFORMANCE RAIL

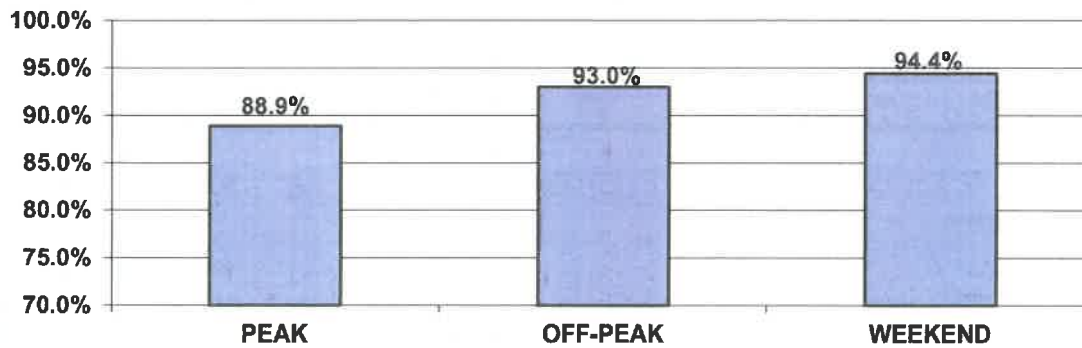
SUMMARY BY TIME PERIOD SEPTEMBER, 2019

* NOTE: A train is reported late if it arrives at its final station stop more than 5:59 minutes later than the advertised schedule.

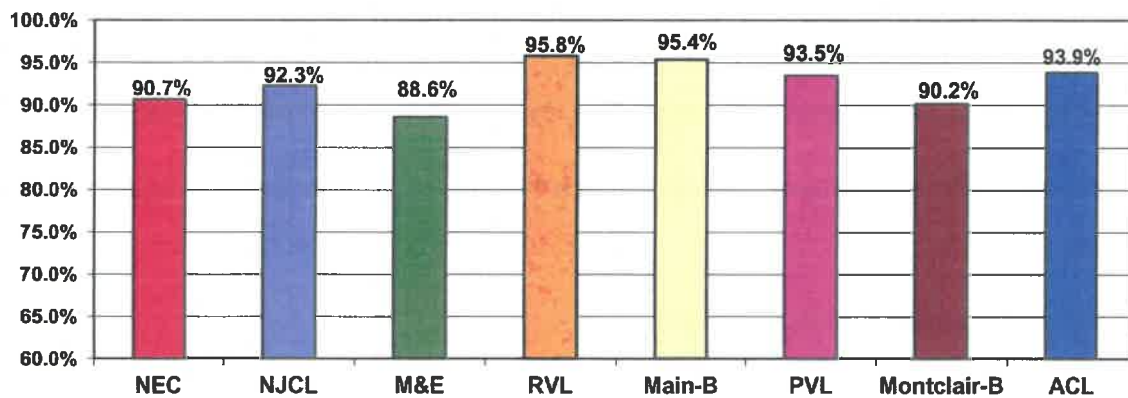
% NEW YORK PENN STATION Trains Reported On Time *



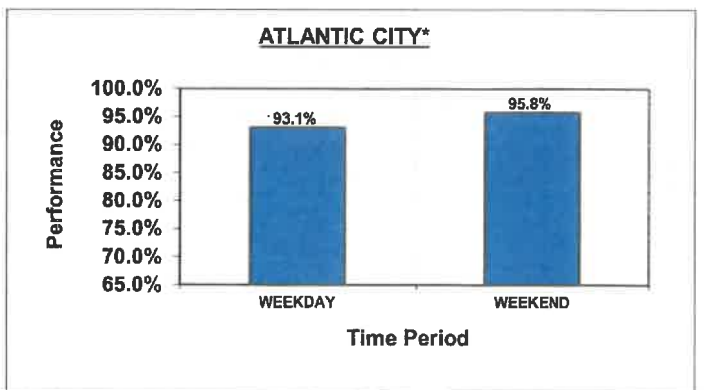
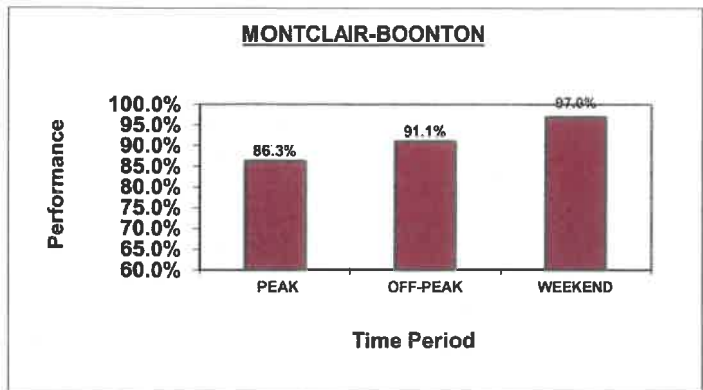
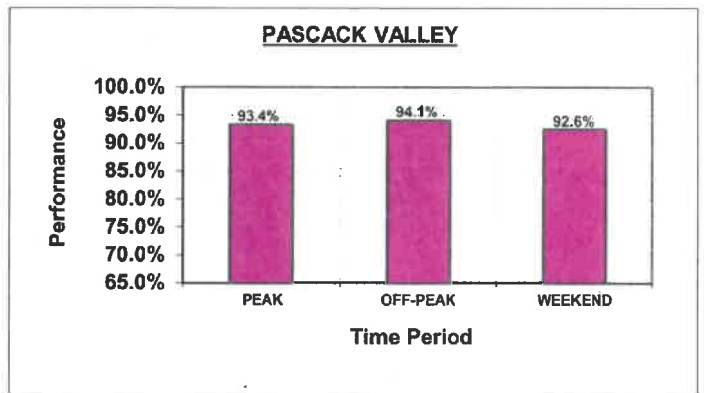
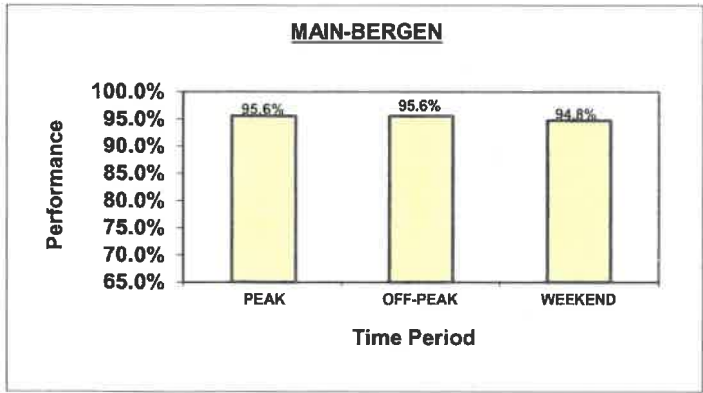
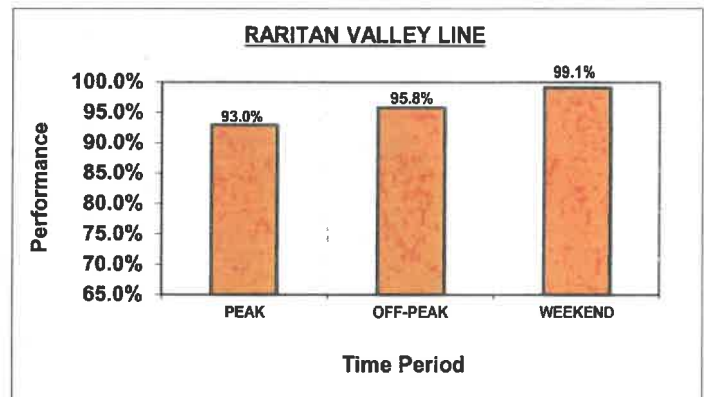
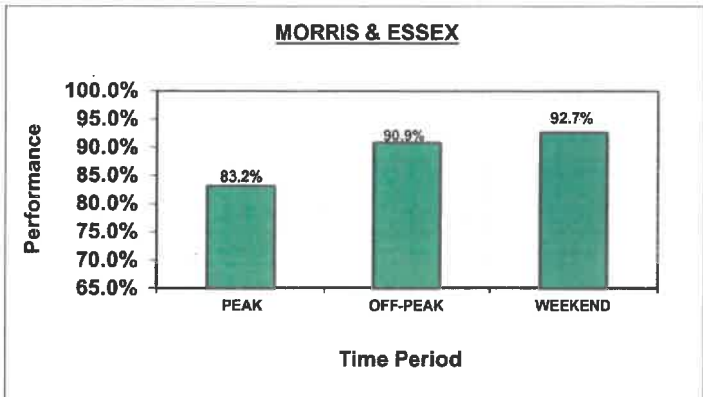
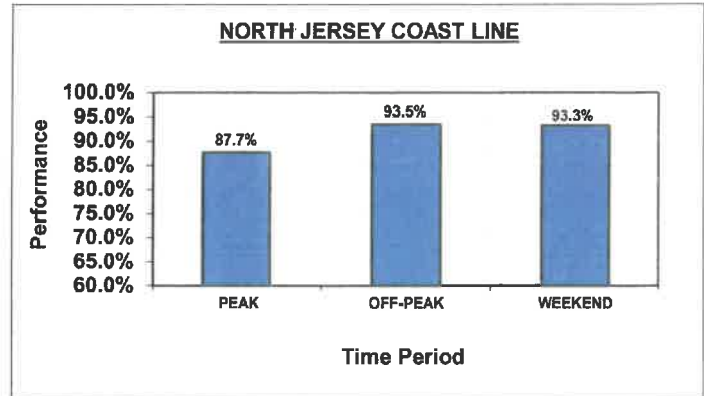
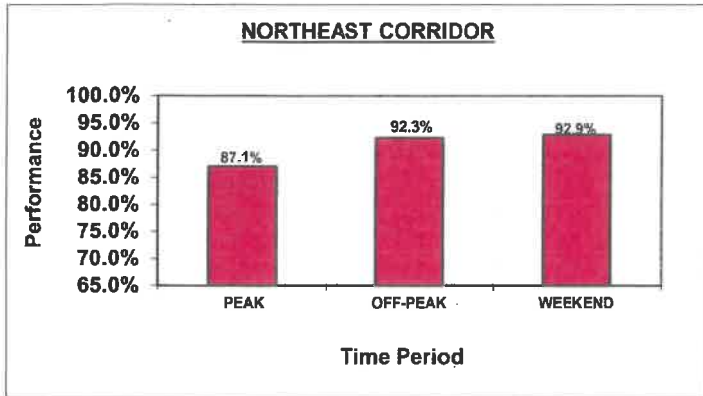
% SYSTEMWIDE Trains Reported On Time



% BY LINE Trains Reported On Time



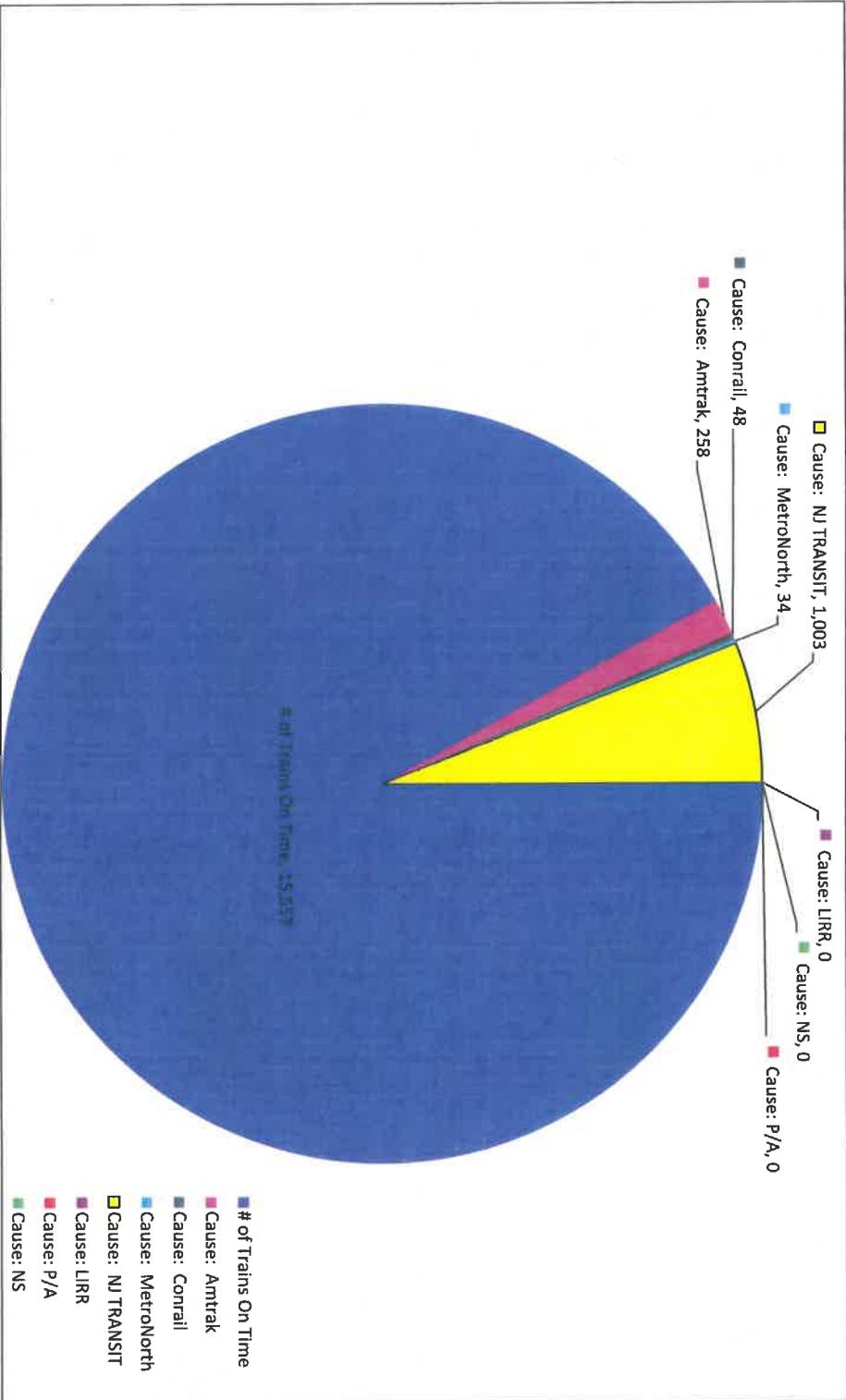
ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD SEPTEMBER, 2019



NJ TRANSIT Performance - SEPTEMBER, 2019

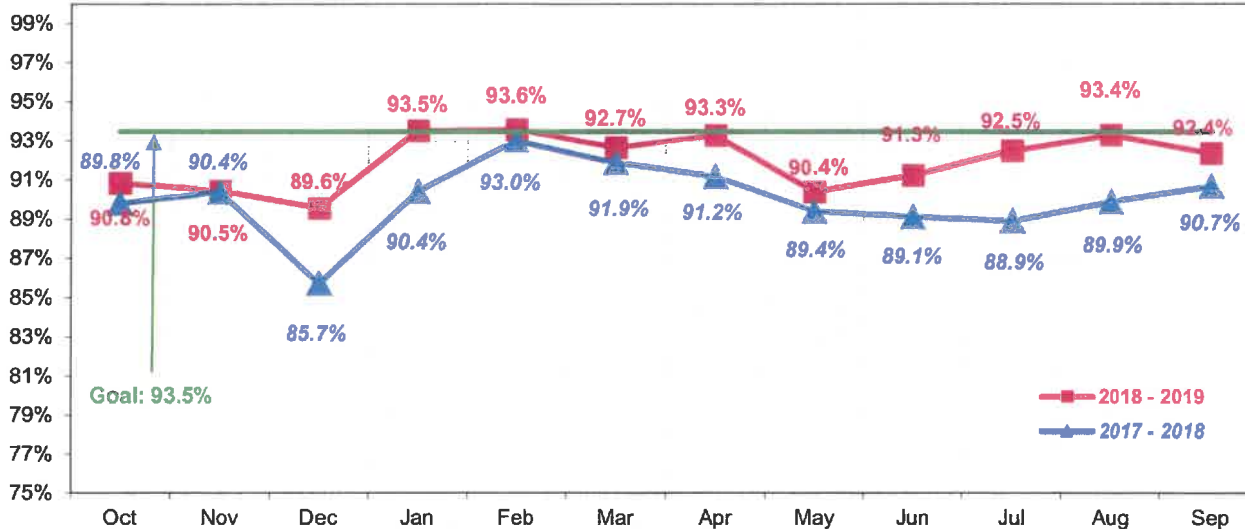
Late NJ TRANSIT Trains

# of Trains On Time	Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause: LIRR	Cause: P/A	Cause: NS
15,557	258	48	34	1,003	0	0	0
# of Late Trains	1,343	1.53%	0.28%	0.20%	5.93%	0.00%	0.00%
Total # of Trains	16,900						
Percentage On Time	92.1%						



NJ TRANSIT ON-TIME PERFORMANCE BUS October 2017 - September 2019

% Buses Departing Major Terminals Within 6 Minutes of Schedule



	2018	2019	% Change
September Comparison	90.7%	92.4%	1.7%

	2018	2019	% Change
12-Month October - September	90.0%	92.0%	2.0%

Analysis:

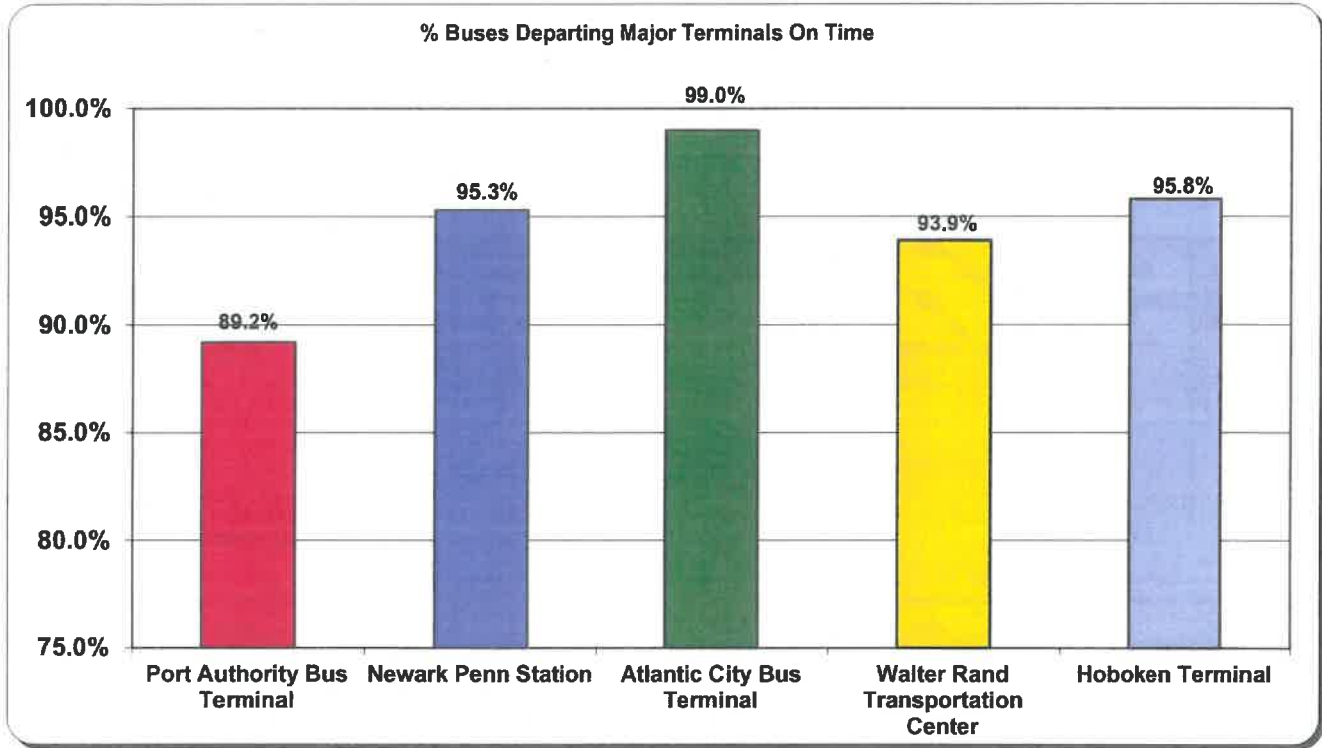
Bus On-Time Performance was 92.4% for September 2019. Of the 46,638 monitored departures 3478(or 7.5%) experienced delays. Key causes included:

- At Port Authority Bus Terminal, a disabled bus in terminal on various days caused delays. An accident with a fuel spill in North tunnel and disabled truck in South tunnel contributed to the delays on September 16. A disabled vehicle and an accident caused inbound delays on September 20.
- At Newark Penn, road closures due to construction with heavy traffic congestion along detour routes caused delays. A vehicle fire and an accident caused significant delays along detour routes on September 19.

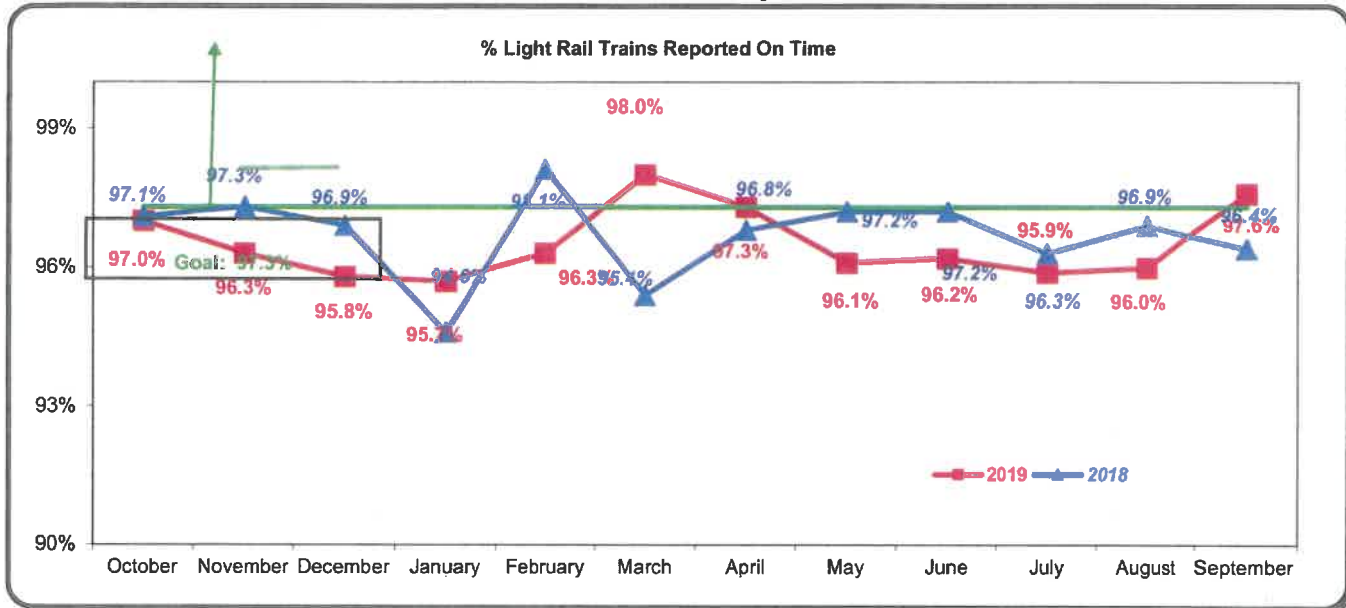
The 12-month average for Bus On-Time Performance was 92.0%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL September 2019



NJ TRANSIT ON-TIME PERFORMANCE October 2017 to September 2019



September Comparison	2018	2019	# Change
	96.40%	97.60%	1.2%

2-Month Average Ended October 2018 - September 2019	2018	2019	# Change
	96.68%	96.52%	-0.16%

Analysis:

Light Rail On-Time Performance systemwide was 97.6% for the month of September 2019. Of the 25,554 scheduled departures, 581 experienced delays.

Key Causes included:

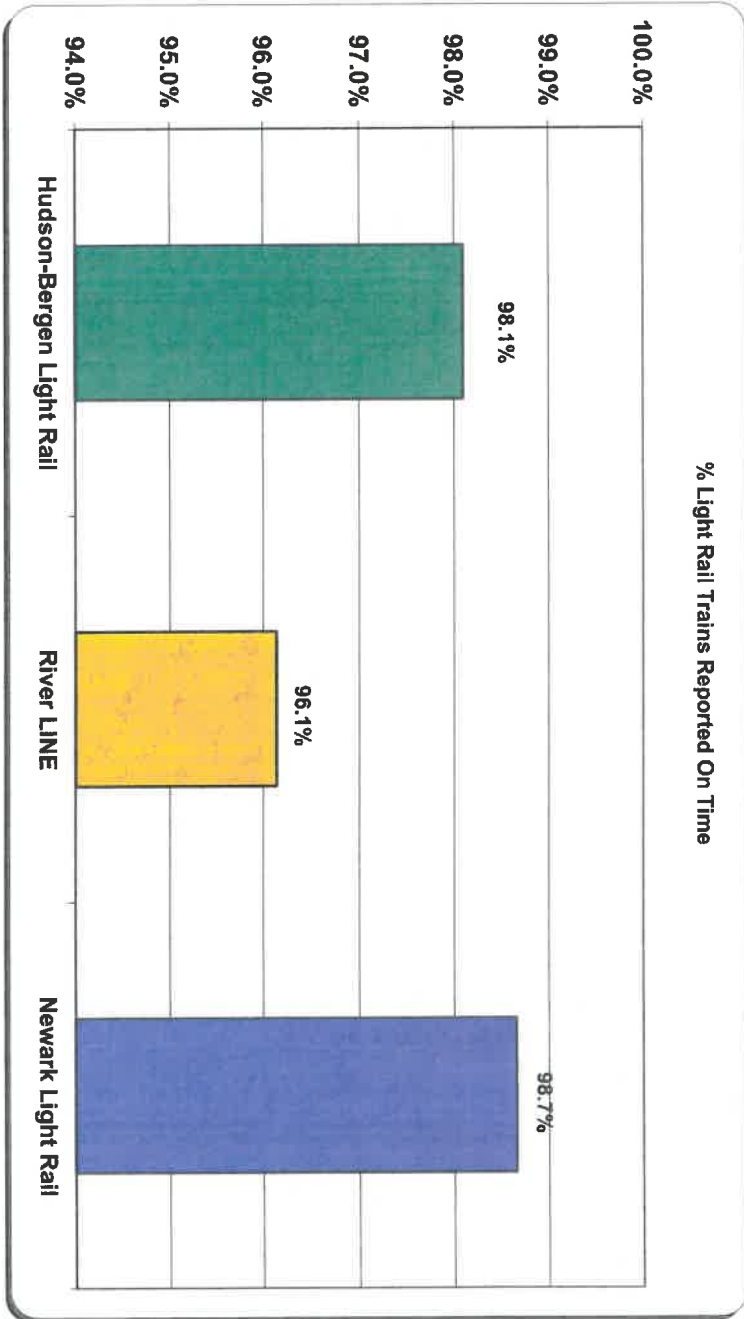
- Equipment issues, track faults and police activity on multiple dates impacted service on River LINE.
- Equipment issues, blocked tracks and police activity impacted service on multiple days on Hudson-Bergen Light Rail.
- Manpower issues, mechanical issues and police activity on certain days impacted service on Newark Light Rail.

The 12 month Average for Light Rail On-Time Performance was 96.52%.

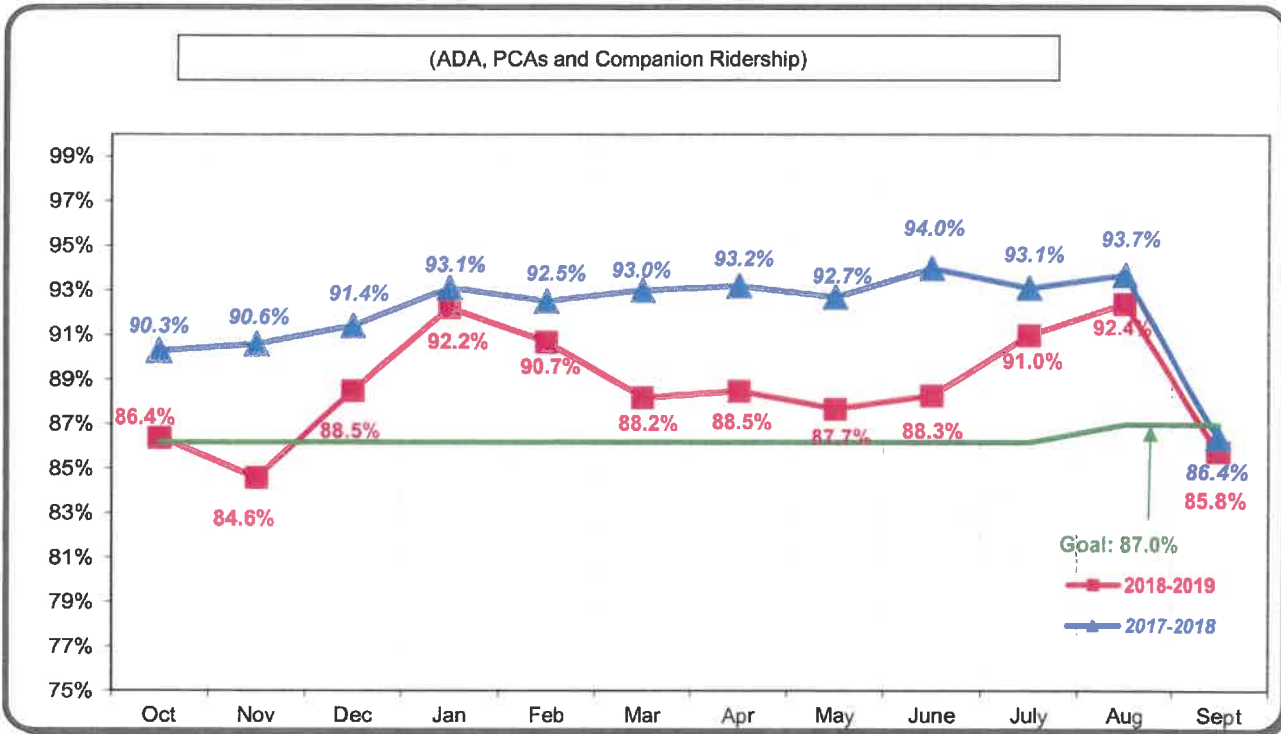
ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE September 2019

% Light Rail Trains Reported On Time



NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK October 2017 - September 2019



	2018	2019	% Change
September Comparison	86.4%	85.8%	-0.6%

	2018	2019	Difference
September Ridership	137,597	140,416	2,819

	2017-2018	2018-2019	% Change
12-Month Average October-September	92.0%	88.7%	-3.3%

Analysis:

Access Link On-Time Performance was 85.8% for September, 2019. In serving 154,686 total riders, for 140,416 ADA customers trips, 19,885 (or 14.2%) experienced delays.

Key causes include:

- Driver shortages
- Delays due to increased traffic volume and congestion
- Scheduling impacts from pick-up window reduction
- Delays due to school starting and new traffic patterns

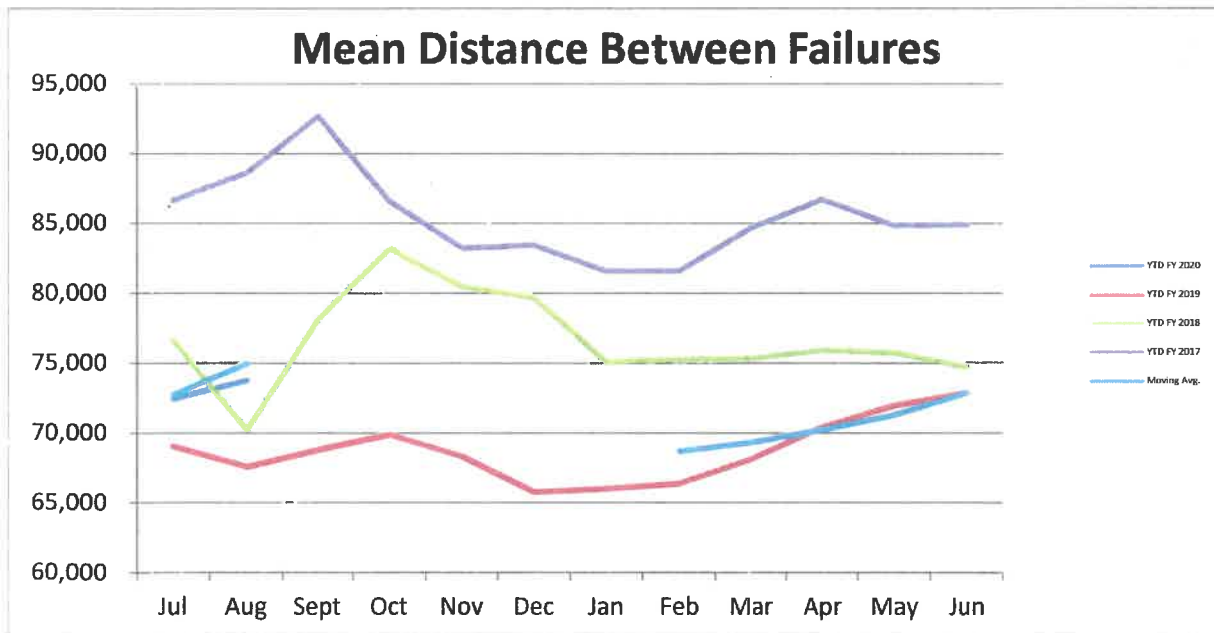
The 12-month average for Access Link On-Time Performance was 88.7%.

MEAN DISTANCE BETWEEN FAILURES

August 2019

NJ TRANSIT Rail Operations
Mean Distance Between Failures

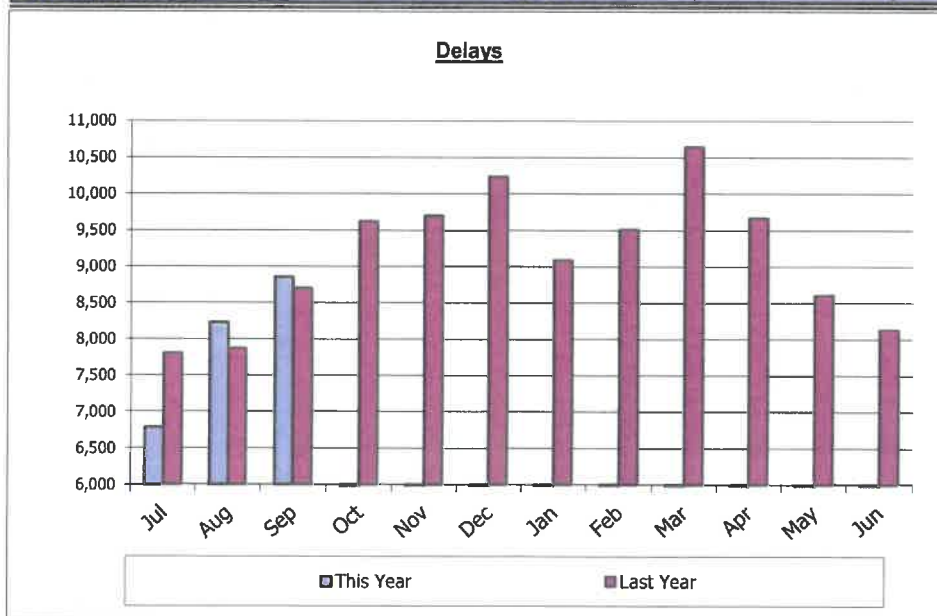
Month	YTD FY2020	YTD FY2019	YTD FY2018	YTD FY2017	12 Month Moving Avg.
Jul	72,472	69,055	76,674	86,683	72,788
Aug	73,824	67,612	70,263	88,680	75,030
Sept	-	68,823	78,151	92,705	-
Oct	-	69,913	83,213	86,626	-
Nov	-	68,356	80,523	83,272	-
Dec	-	65,796	79,711	83,501	-
Jan	-	66,025	75,139	81,633	-
Feb	-	66,391	75,324	81,639	68,717
Mar	-	68,141	75,376	84,715	69,344
Apr	-	70,447	75,968	86,771	70,258
May	-	71,986	75,787	84,920	71,342
Jun	-	72,930	74,776	84,936	72,930



Garage Performance Parameters

September 2019

Location	Miles Between In-Service Delays			
	FY2020 Goal	This Month	FY2020 YTD	FY2019 YTD
Fairview	6,000	3,569	3,081	3,706
Greenville	7,500	4,139	3,967	4,350
Market Street	8,500	6,971	6,106	5,883
Meadowlands	10,200	5,895	4,525	4,799
Oradell	10,500	5,451	5,215	7,082
Wayne	10,500	14,998	13,823	7,394
Northern Division	-	6,370	5,630	5,750
Big Tree	8,800	7,305	5,007	4,841
Hilton	10,200	13,998	7,649	7,009
Howell	16,750	27,826	29,410	22,529
Ironbound	9,600	6,284	5,850	6,815
Orange	9,250	6,082	5,037	7,352
Morris	10,500	40,398	28,017	71,267
Central Division	-	9,542	7,998	8,895
Egg Harbor	15,500	16,148	16,784	18,818
Hamilton	13,000	10,266	9,854	6,913
Newton Avenue	12,000	11,957	11,345	9,985
Washington Twp.	14,500	18,476	18,557	13,882
Southern Division	-	14,765	14,716	12,985
Bus Operations	-	8,853	7,832	8,090

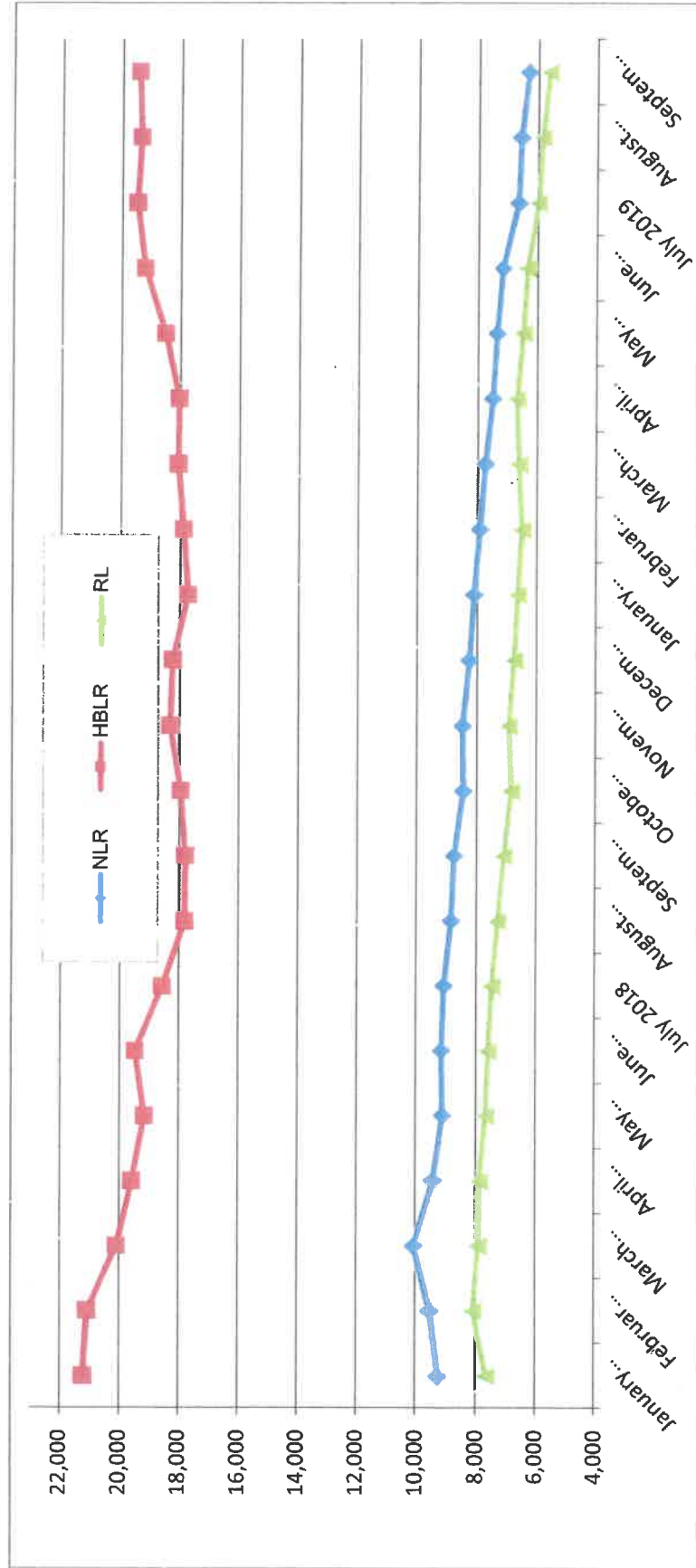


NJ TRANSIT - LIGHT RAIL, September 2019

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF * September 2019	MDBSF * August 2019
Newark Light Rail	6,323	5,959
Hudson Bergen	19,397	19,329
River LINE	5,613	5,834

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



DBE/SBE PROGRAM

State Funded Contracts

During the month September 2019, NJ TRANSIT awarded \$8,601,117.47 in state funded contracts. Of that total, Small Business Enterprises (SBEs) received \$4,178,172.74 or 48.58%.

During the State Fiscal Year 2020 (July 1, 2019 through June 30, 2020) NJ TRANSIT awarded \$170,845,457.35 in state funded contracts. Of that total, SBEs received \$8,419,903.37 or 4.93%.

Note: The above reflects the Procurement Report of Awards received October 2, 2019.

SBE Goal Attainment from July 1, 2019 through June 30, 2020 (FY 2020)

Category 1 SBEs received	\$0.00	or 0.00%
Category 2 SBEs received	\$403,200.00	or 0.24%
Category 3 SBEs received	\$3,963,459.07	or 2.32%
Category 4 SBEs received	\$3,774,972.74	or 2.21%
Category 5 SBEs received	\$224,423.30	or 0.13%
Category 6 SBEs received	\$53,848.26	or 0.03%

FTA Funded Contracts (updated Quarterly – next update will occur December 2019)

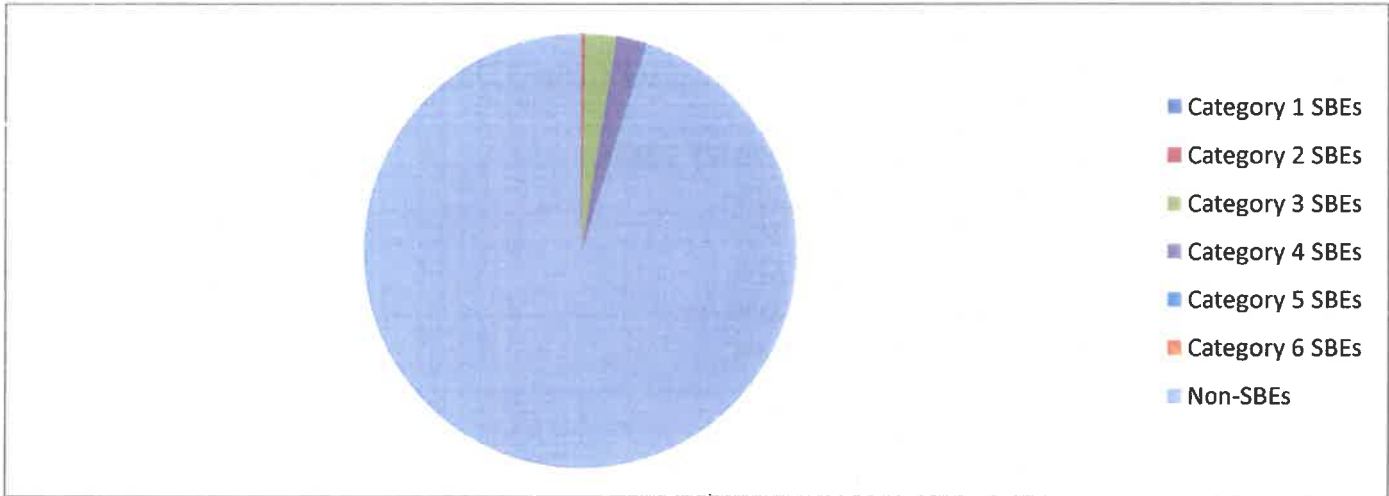
During the 4th Quarter (July 1, 2019 – September 30, 2019) of Federal Fiscal Year 2019 (October 1, 2018 through September 30, 2019), the FTA funded share of NJ TRANSIT’s federal contracts awarded was \$33,717,209.13. Of that total, Disadvantaged Business Enterprises (DBEs) received \$12,583,298.70 or 37.32%.

DBE Goal Attainment from July 1, 2019 – September 30, 2019 (FFY 2019) *

Contracts awarded	\$33,717,209.31
DBEs received	\$12,583,298.70 or 37.32%

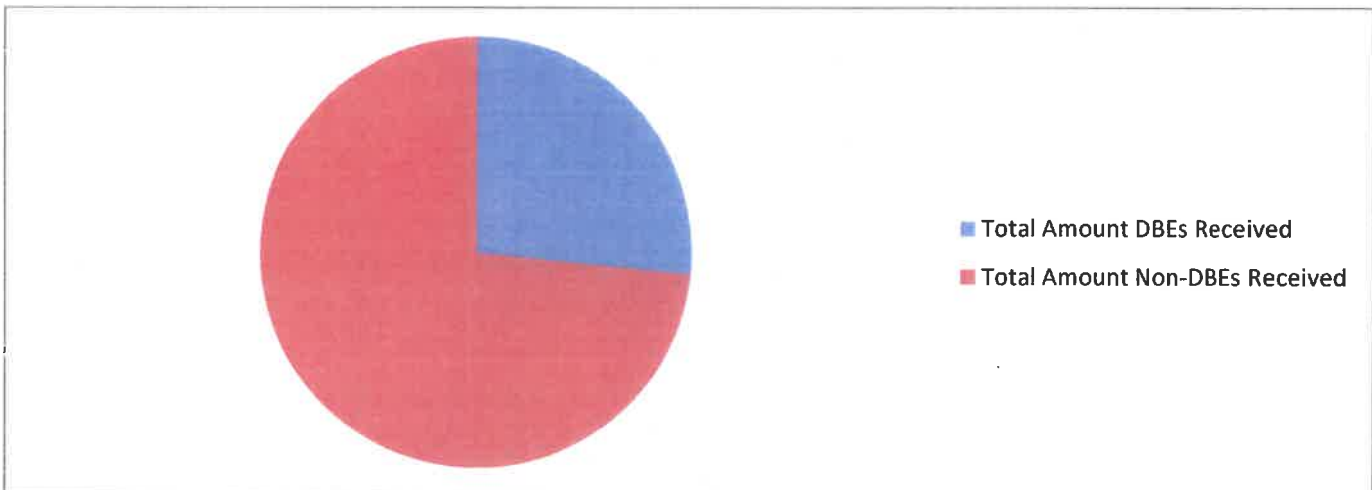
*Numbers reflect federal share.

<i>Category 1 SBEs</i>	\$0.00	0.00%
<i>Category 2 SBEs</i>	\$403,200.00	0.24%
<i>Category 3 SBEs</i>	\$3,963,459.07	2.32%
<i>Category 4 SBEs</i>	\$3,774,972.74	2.21%
<i>Category 5 SBEs</i>	\$224,423.30	0.13%
<i>Category 6 SBEs</i>	\$53,848.26	0.03%
<i>Non-SBEs</i>	\$162,425,553.98	95.07%



DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FYTD 2019

Total Amount DBEs Received	\$29,506,584.37	26.62%
Total Amount Non-DBEs Received	\$81,348,357.72	73.38%



EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

20 NJ TRANSIT employees retired recently with careers ranging 12 to 47 years of service:

1. Anthony Colter, Mechanic – Newark Bus – 20 years
2. Doreen Johnson, Operator – Big Tree – 12 years
3. Deborah Lester, Operator – Ironbound – 26 years
4. Christopher Murray, Operator – Fairview – 30 years
5. Gary Stinson, Starter – GWB – 25 years
6. Carroll Washington, Operator – Wayne – 29 years
7. Rosemary Alston, Operator – Wayne – 14 years
8. Raymond Byrne, Assistant Tech Specialist – Penn Plaza – 36 years
9. Paul Gelly, Regional Supervisor – Newton Ave – 19 years
10. Andrew Mathisen, Manager Telecom Administration – Penn Plaza – 16 years
11. Lori Carola, Revenue Specialist – Penn Plaza – 32 years
12. Reyes Colon Jr, Assistant Superintendent Light Rail – VBF – 27 years
13. Richard Czaplewski, Field Supervisor Fare Inspection – Penn Plaza – 19 years
14. Debra Martelli, Senior Director EAP Medical – GOB – 27 years
15. Jonathan Raby, Assistant Director Shops – Newark Bus – 28 years
16. Ritchie Sahadatalli, Garage Superintendent – Greenville – 25 years
17. Gameil Bishara, Tech – MMC – 13 years
18. William Chudzik, Lead Maintainer – Penn Plaza – 22 years
19. Thomas Romaine, Assistant Engineer – Denville – 47 years
20. Noel White, Director QA/QC – MMC – 31 years

PARSONS

NJ Transit – Positive Train Control (PTC) Status



October 16, 2019

Agenda

- **Back Office Status**
- **Wayside Status**
- **Communications Status**
- **Onboard Status**

Back Office / Communications / Wayside

■ Back Office

- Hoboken Division – on schedule
- Newark Division – on schedule

■ Wayside

- Demonstration area (Summit to Denville) – in testing
- Full Morristown Line and Montclair-Boonton to be complete by the end of November
- All other lines – in testing

■ Communications

- Wayside radios – in testing
- On-board radios – testing scheduled for Nov and Dec.
- Other communications – continuing testing and resolution of anomalies

On-Board Status (Software)

- Expectation was to begin Revenue Service Demonstration (RSD) no later than November 2019.
- In September the software exhibited anomalies which did not allow complete certification for operation in revenue service
- Updated software was released for lab testing on October 15th with a current schedule to begin RSD in March 2020

Roadmap to Safety Plan in Support of Dec 31st 2020 Certification

On-board Software Timing

	Software release	Start of RSD	Safety Plan submitted	FRA review and approval	Safety Certification
Existing Schedule*	April-2019	Nov-2019	Jun-2020	6 months	31-Dec-2020
Current planning	Nov-2019	Mar-2020	Jun-2020	6 Months	31-Dec-2020

*based on FRA Approved Alternative Schedule

Resources Being Applied

■ Parsons

- Added 10 full time resources to the project over the last 18 months
 - Including growing from 2 to 5 test resources.
- Assigned the Rail Systems VP as the full time Project Director
- Assigned software experts to review and assist Alstom efforts

■ Alstom

- Created a co-located PTC team to support all concurrent activities occurring until RSD. Team enhanced with over 40 resources in various Alstom sites
- Executive involvement to review progress on a weekly basis with PTC team
- Field team additional resource with key personnel with 30+ Years of field signaling operation

ACTION ITEMS

LONG SLIP FILL AND RAIL ENHANCEMENT



Resilience Program • Building Stronger

ITEM 1910-61

LONG SLIP FILL AND RAIL ENHANCEMENT

October 16, 2019

ITEM 1910-61 LONG SLIP FILL AND RAIL ENHANCEMENT



Hoboken Terminal and Yard were inundated due to the surge created by Superstorm Sandy, entering the Hoboken Yard and Terminal through the Long Slip Canal.

ITEM 1910-61 LONG SLIP FILL AND RAIL ENHANCEMENT

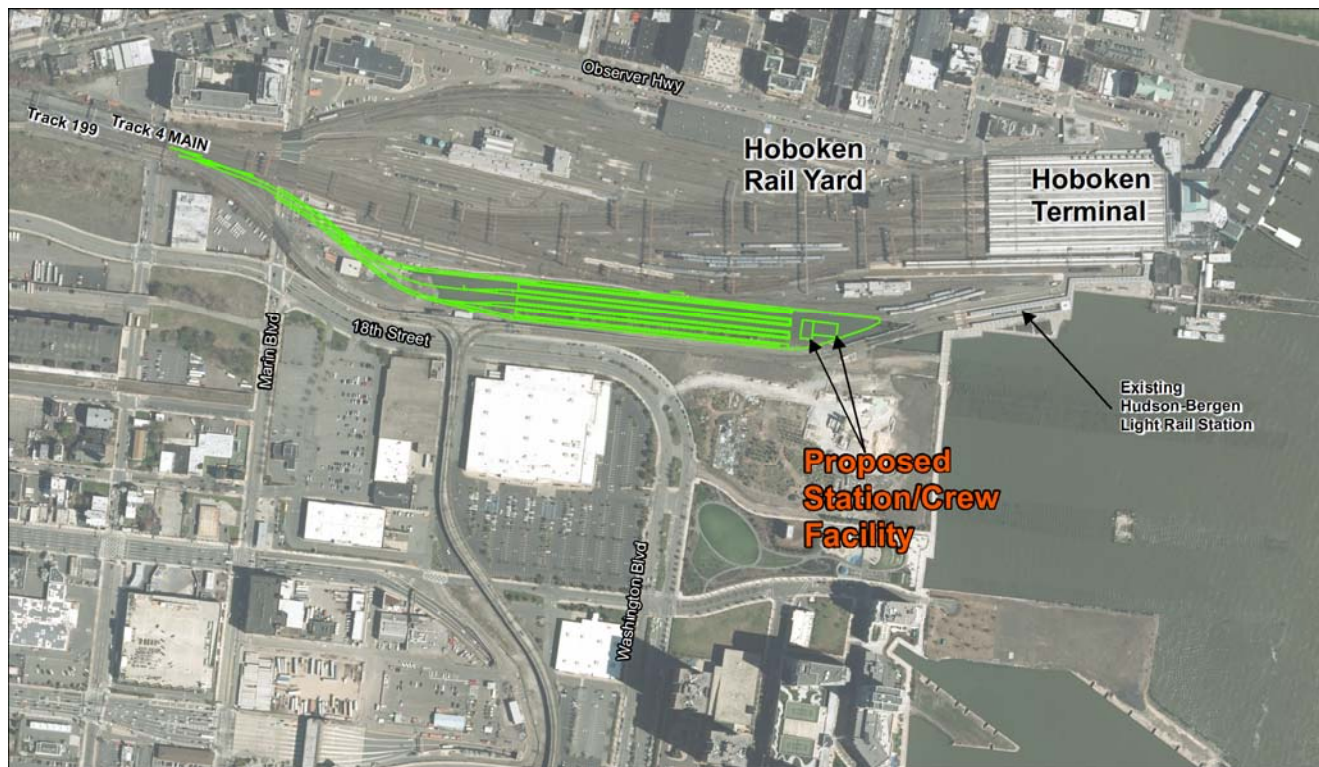


Operations at Hoboken Yard have been affected by multiple bulkhead failures and nuisance storms, which now will be addressed by this project.

ITEM 1910-61 LONG SLIP FILL AND RAIL ENHANCEMENT

VISION/GOALS:

- Enhance resilience of NJ TRANSIT's commuter rail service to and from the Hoboken Terminal
- Provide additional station and platform access during systemwide service disruptions
- Harden terminal infrastructure against storm surge



ITEM 1910-61 LONG SLIP FILL AND RAIL ENHANCEMENT

PROJECT SCOPE:

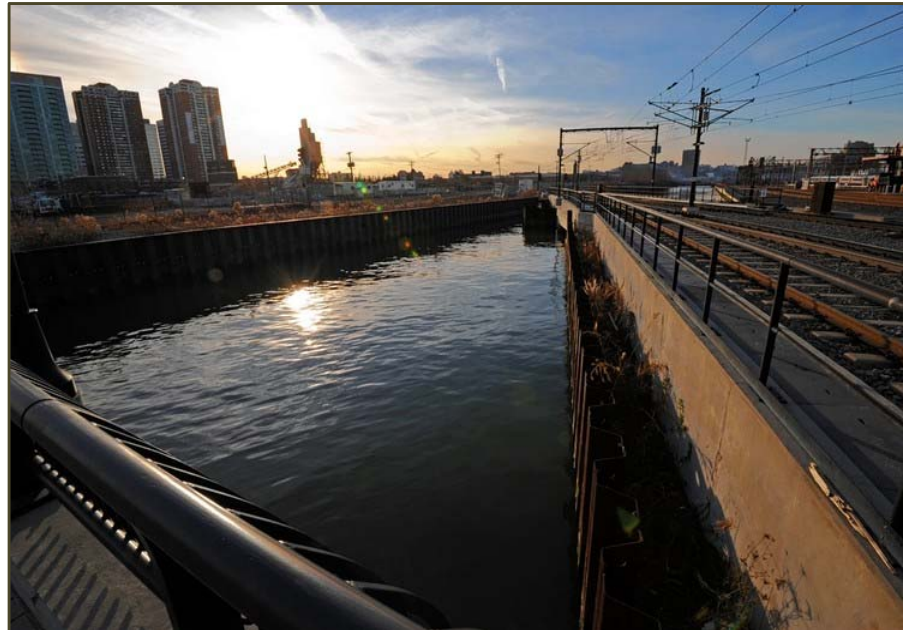


- Phase 1:
Filling of Long Slip Canal and CSO extension
- Phase 2:
Construction of 6 tracks serving 3 ADA-accessible high level platforms and a Passenger/Crew Facility above the base flood elevation

ITEM 1910-61 LONG SLIP FILL AND RAIL ENHANCEMENT – Phase I

The Action: The Long Slip Fill and Rail Enhancement Phase 1 Combined Sewer Outfall (CSO) Extension and Canal Filling work is a prerequisite, to building new tracks, associated platforms and a passenger/crew facility to enhance the customer experience in the coming years. This Phase I work will include the extension of the existing Jersey City Municipal Utilities Authority CSO by 1,800 feet east and the placement of clean fill material into the Long Slip Canal to an elevation of 12 feet above mean sea level to provide the platform for the station and tracks.

The Ask: Authorization to enter into contract (No. 18-035X) with **Walsh Construction Company II, LLC** of Little Falls, New Jersey for the construction services of Phase I work at a cost not to exceed **\$39,573,822.00**, plus ten percent for contingencies, subject to the availability of funds.



ITEM 1910-61: NJ TRANSIT RESILIENCE PROGRAM: LONG SLIP FILL AND RAIL ENHANCEMENT PHASE 1 COMBINED SEWER OVERFLOW EXTENSION AND CANAL FILLING: CONSTRUCTION CONTRACT AWARD

WHEREAS, NJ TRANSIT's Long Slip Fill and Rail Enhancement Project area is located within the Hoboken Rail Yard along the Hudson River Waterfront along the boundary of southern Hoboken and northeastern Jersey City. The Long Slip Canal is a boat slip within Jersey City which was initially used as a shipping port but has not been active for over four decades; and

WHEREAS, the Hoboken Yard and the City of Hoboken suffered significant storm-surge from Superstorm Sandy on October 30, 2012, due in part to the speed with which wind-driven Hudson River water was able to travel up the Long Slip and enter the Yard, leading to more rapid and possibly deeper flooding than would have occurred had Long Slip not existed; and

WHEREAS, the Long Slip Fill and Rail Enhancement Project involves the combined sewer overflow extension and the filling of the Long Slip Canal (Phase 1); and the construction of new tracks on the filled area to serve ADA-accessible, high-level boarding platforms, as well as the construction of a passenger/rail personnel facility (Phase 2); and

WHEREAS, the Long Slip Fill and Rail Enhancement Phase 1 Project will provide additional surge protection of Hoboken Yard equipment and infrastructure and reduce the potential of lesser storm surges that occur on a more frequent basis; and

WHEREAS, the Long Slip Fill and Rail Enhancement Phase 2 Project will support operations of commuter rail services to/from Hoboken Yard in advance of and immediately after a storm or other event, will be at an elevation above the FEMA base flood elevation as required, will allow for supplemental service to and from Hoboken Terminal during service disruptions elsewhere on the system, and will enable more efficient train operations under normal operating conditions; and

WHEREAS, the Federal Transit Administration selected the Long Slip Canal Fill and Rail Enhancement Project to receive Disaster Relief Appropriations Act of 2013 funding through a competitive grant process; and

WHEREAS, on May 24, 2019, an Invitation for Bid (IFB) was advertised on BID EXPRESS, NJ TRANSIT's electronic bid system, and in *The Star-Ledger* and *Trenton Times*. A Pre-Bid Conference and site visit occurred on June 10, 2019. An additional site visit occurred on June 19, 2019; and

WHEREAS, bids were received electronically from eleven firms and opened on August 22, 2019, at NJ TRANSIT Headquarters in Newark; and

WHEREAS, the NJ TRANSIT Office of Business Development assigned a 9 percent Disadvantage Business Enterprise (DBE) goal for the Construction Contract., and the NJ TRANSIT Office of Business Development reviewed the bid and identified 9.06 percent DBE participation; and

WHEREAS, upon completion of a competitive procurement process, it was determined that Walsh Construction Company II, LLC of Little Falls, New Jersey, submitted the lowest responsive, responsible bid; and

WHEREAS, the Federal Transit Administration, Transportation Trust Fund, and Jersey City Municipal Utilities Authority are the anticipated sources of funding for this project;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 18-035X with Walsh Construction Company II, LLC of Little Falls, New Jersey, for the construction of the Long Slip Fill and Rail Enhancement Phase 1 Combined Sewer Overflow Extension and Canal Filling Project in the amount not to exceed \$39,573,822.00, plus ten percent for contingencies, subject to the availability of funds.

ITEM 1910-62 RARITAN RIVER BRIDGE REPLACEMENT PROJECT

Built in 1908, the existing Raritan River Bridge was not designed to withstand lateral forces due to ocean surges. As a consequence, the bridge suffered significant damage during Superstorm Sandy. The bridge is safe today but vulnerable to future storms. Therefore, it is necessary that NJ TRANSIT construct a new bridge more resilient to future extreme weather events.

- Seeking authorization to enter into NJ TRANSIT Contract No. 18-015 with **AECOM/MOTT MACDONALD Joint Venture Team** for the **Construction Management Services** for the Raritan River Bridge Replacement Project in the amount not to exceed **\$33,953,533.95**, plus five percent for contingencies, subject to the availability of funds.



ITEM 1910-62 RARITAN RIVER BRIDGE REPLACEMENT PROJECT

- Authorization of this Construction Management Contract will allow for AECOM/MOTT MACDONALD Joint Venture Team to assist NJ TRANSIT with building a new, electrified two-track moveable bridge across the Raritan River, that will link to the existing North Jersey Coast Line.



ITEM 1910-62 RARITAN RIVER BRIDGE REPLACEMENT PROJECT

- Authorization of this Construction Management Contract will allow NJ TRANSIT to attain much needed support in overseeing the construction of this critical new bridge and the demolition of the existing bridge.



ITEM 1910-62: NJ TRANSIT RESILIENCE PROGRAM: CONSTRUCTION MANAGEMENT SERVICES FOR THE RARITAN RIVER BRIDGE REPLACEMENT PROJECT

WHEREAS, the existing Raritan River Bridge is a moveable swing-span bridge across the Raritan River between Perth Amboy and South Amboy; and

WHEREAS, the bridge is the sole rail link for 17 of the 20 North Jersey Coast Line (NJCL) stations to Newark and Manhattan; and

WHEREAS, the Raritan River Bridge carries 8,500 daily riders, supporting the provision of critical commuter rail services to/from the Jersey Shore and major regional job centers; and

WHEREAS, the existing 108-year-old Raritan River Bridge was not designed to withstand seismic loads or the lateral forces due to ocean surges, and as a consequence, suffered significant damage during Superstorm Sandy; and

WHEREAS, under a separate authorization, NJ TRANSIT has repaired the current bridge to allow its continued use while a new bridge is designed and built, however, a permanent replacement more resilient to future extreme weather events is required; and

WHEREAS, NJ TRANSIT will replace the existing structure and construct a new bridge capable of better withstanding storm surge associated with future extreme weather events; and

WHEREAS, the replacement bridge will provide a new two-track moveable span across the Raritan River, slightly offset from the original alignment, and linking back to the existing NJCL mainline tracks at its northern and southern ends; and

WHEREAS, the Federal Transit Administration selected the Raritan River Bridge Replacement Project to receive Disaster Relief Appropriations Act of 2013 funding through a competitive grant process; and

WHEREAS, on October 13, 2017, the Federal Transit Administration issued a Finding of No Significant Impact (FONSI) for NJ TRANSIT's Raritan River Bridge Replacement Project as part of the National Environmental Policy Act (NEPA) process; and

WHEREAS, NJ TRANSIT commenced final design for the replacement bridge upon the issuance of the FONSI; and

WHEREAS, on August 27, 2018, a Request for Proposal (RFP) was advertised on BID EXPRESS, NJ TRANSIT's electronic bid system, and in *The Star-Ledger* and *Trenton Times*, and a Pre-Proposal Conference was held on September 11, 2018; and

WHEREAS, upon completion of a competitive procurement process for construction management consultant services, it was determined that AECOM/MOTT MACDONALD Joint Venture Team was the most qualified responsive and responsible proposer; and

WHEREAS, the Federal Transit Administration and Transportation Trust Fund are the anticipated sources of funding for this project; and

WHEREAS, NJ TRANSIT Office of Business Development established a Disadvantaged Business Enterprise (DBE) goal of 25 percent for this contract and AECOM/MOTT MACDONALD Joint Venture Team has identified 25.50 percent DBE participation;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is hereby authorized to enter into NJ TRANSIT Contract No. 18-015 with AECOM/MOTT MACDONALD Joint Venture Team to provide construction management services for all three construction services contracts for the Raritan River Bridge Replacement Project at a cost not to exceed \$33,953,533.95, plus five percent for contingencies, subject to the availability of funds.

ITEM 1910-63: MAPLEWOOD GENERAL OFFICE BUILDING (GOB) BUS OPERATIONS CONTROL CENTER: CONSTRUCTION CONTRACT AWARD

WHEREAS, NJ TRANSIT public transportation services are essential elements in the recovery of emergencies; and

WHEREAS, the General Office Building (GOB) in Maplewood, NJ is partially occupied by NJ TRANSIT Bus Operations personnel and the existing facilities do not have adequate interior space or facilities to accommodate a Bus Operations Control Center; and

WHEREAS, the construction of a Bus Operations Control Center will enable NJ TRANSIT to prepare, manage, and recover from emergencies and planned events; and

WHEREAS, the new 16,000 square foot Bus Operations Control Center will be located on the first and second floors of the GOB and will include new telephone, communications, audio and visual systems, along with 20 console stations; and

WHEREAS, authorization of this Construction Contract will allow the construction of improvements for the Bus Operations Control Center; and

WHEREAS, on May 22, 2019, an Invitation for Bid (IFB) was advertised on BID EXPRESS, NJ TRANSIT's electronic bid system, and in *The Star-Ledger* and *Trenton Times* and a Pre-Bid Conference and site visit occurred on June 6, 2019; and

WHEREAS, bids were received electronically from five firms and opened on August 22, 2019, at NJ TRANSIT Headquarters in Newark; and

WHEREAS, the NJ TRANSIT Office of Business Development established a Disadvantaged Business Enterprise (DBE) goal of race neutral for this contract, and Frankoski Construction has identified 15.22 percent DBE participation; and

WHEREAS, upon completion of a competitive procurement process, it was determined that Frankoski Construction of East Orange, New Jersey, submitted the lowest responsive, responsible bid; and

WHEREAS, the Transportation Trust Fund is the anticipated source of funding for this project;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 19-024X with Frankoski Construction of East Orange, New Jersey, for the construction of the Bus Operations Control Center in an amount not to exceed \$8,133,259.67, plus five percent for contingencies, subject to the availability of funds.

ITEM 1910-64
In-depth Inspections, Evaluations and Ratings of Undergrade Railroad
Bridges, Contract 19-040



Staff is seeking authorization to enter into three separate contracts with **HNTB, KS Engineers, and TranSystems** to perform in-depth bridge inspections, evaluations, and ratings of 143 undergrade railroad bridges for a total cost of \$2,938,743.73.

- Bridge inspections of 143 undergrade railroad bridges
- Mandated inspections by the Federal Railroad Administration (FRA)
- Source of Funds: State – TTF (Transportation Trust Fund)
- Total cost of \$2.94M + 5% Contingency

**ITEM 1910-64: UNDERGRADE RAILROAD BRIDGES: ENGINEERING
SERVICES TO PERFORM IN-DEPTH INSPECTIONS,
EVALUATIONS, AND RATINGS**

WHEREAS, NJ TRANSIT is responsible for maintaining a total of 661 undergrade bridges, of which 576 bridges are in active service, carrying trains over roadways, waterways, and other features; and

WHEREAS, these in-depth bridge inspections, evaluations and ratings are part of NJ TRANSIT's asset management strategy which emphasizes capital investments to restore critical aging infrastructure to a state of good repair and ultimately ensure safe and reliable service for customers; and

WHEREAS, these in-depth inspections and ratings satisfy one element of NJ TRANSIT's Bridge Management Program which is mandated by the Federal Railroad Administration; and

WHEREAS, on June 14, 2019, a Request for Proposal (RFP) was advertised in *The Star Ledger* and *Trenton Times*; and

WHEREAS, proposals were received from thirteen (13) prospective consultants on July 26, 2019; and

WHEREAS, upon completion of a competitive procurement process, the six (6) technically highest ranked firms were selected to perform the required services, three (3) commencing in 2019 (Groups A, B, and C), and three (3) commencing in 2020 (Groups D, E, and F). HNTB of Parsippany, New Jersey, HDR of Newark, New Jersey, and TranSystems of Rutherford, New Jersey, were found to be the top technically ranked firms providing the best value to NJ TRANSIT for the three (3) contracts commencing in 2019;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 19-040A with HNTB Corporation of Parsippany, New Jersey, 19-040B with KS Engineers of Newark, New Jersey, and 19-040C with TranSystems of Rutherford, New Jersey, to provide in-depth inspections, evaluations, and ratings of 143 undergrade railroad bridges at a cost not to exceed \$837,000.00, \$1,107,402.73, and \$994,341.00, respectively, for a total cost of \$2,938,743.73, plus five percent for contingencies, subject to the availability of funds.

ITEM 1910-65 MASON AND BUILDING 9 SUBSTATIONS OVERSIGHT ADVISOR - PROFESSIONAL SERVICES CONTRACT AWARD

The Oversight Advisor Professional Services Consultant will provide oversight and advisory services during design and construction of Mason & Building 9 Substations.

- Seek authorization to enter into NJ TRANSIT Contract No. 19-003 with **Burns Engineering Corporation** of Philadelphia, PA for oversight and advisory services for the Mason and Building Substation Projects at a cost not to exceed **\$2,079,320**, plus five percent for contingencies, subject to the availability of funds.
- Seek authorization to enter into NJ TRANSIT Contract No. 20-021 with **American Electrical Testing Company** of Boonton, NJ for transitional technical review support services at a cost not to exceed **\$650,000**, subject to the availability of funds.



ITEM 1910-65 MASON AND BUILDING 9 SUBSTATIONS OVERSIGHT ADVISOR - PROFESSIONAL SERVICES CONTRACT AWARD

- Authorization of these consulting contracts will allow for oversight and review of design and construction activities by PSE&G and their consultants of the new Mason and Building 9 Substations located in the Meadowlands Maintenance Complex (MMC) in Kearny, NJ.
- The new substations will improve electric reliability of traction power substations and enhance resilience and power supply to the Rail Operations Center and MMC facilities.



**ITEM 1910-65: REPLACEMENT OF MASON AND BUILDING 9 SUBSTATIONS
OVERSIGHT ADVISOR – PROFESSIONAL SERVICES
CONTRACT**

WHEREAS, Public Service Electric & Gas (“PSE&G”) will design, construct, own and operate the new Mason and Building 9 Substations in accordance with a Construction Coordination and Protocol Agreement (the “Agreement”) signed by NJ TRANSIT and PSE&G in November 2017; and

WHEREAS, PSE&G will construct a new 230kV Gas Insulated Switchgear (GIS) building with an adjacent control house which will provide power to the East and West traction power yards and Building 9 Substation; and

WHEREAS, PSE&G will construct two 13.2kV lines to Building 9 to feed the Rail Operations Center (ROC), and will provide a separate connection point for a backup generator feed; and

WHEREAS, NJ TRANSIT seeks to secure a Consultant (the “Substation Project Oversight Advisor”) to provide oversight and advisory services during the design and construction of Mason and Building 9 substations located in Kearny, NJ; and

WHEREAS, authorization of the Substation Project Oversight Advisor will allow for review of design and construction activities, and support in ensuring NJ TRANSIT is fulfilling its responsibilities, preserving its rights, and complying with all terms of notice and dispute resolution per the Agreement; and

WHEREAS, NJ TRANSIT previously identified the need for technical review support consulting services for the Mason Substation project as essential to augment Rail Operations staff in completing miscellaneous design and detailed review tasks; and

WHEREAS, on March 15, 2019, a Request for Proposal (RFP) was advertised in *The Star-Ledger* and *Trenton Times*; and

WHEREAS, NJ TRANSIT has completed a competitive solicitation to secure a Substation Project Oversight Advisor professional consultant for the balance of design and construction of Mason Substation through project close-out; and

WHEREAS, NJ TRANSIT in accordance with N.J.A.C. 16:72-1.5(e), issued a Request for Proposal from one uniquely qualified vendor, AETCO, based on its knowledge and expertise to provide technical review support;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 19-003 with Burns Engineering Incorporated of Philadelphia, Pennsylvania, for Oversight Advisor Services in connection with the design and construction of the new Mason and Building 9

Substations in Kearny, NJ, at a cost not to exceed \$2,079,320, plus five percent for contingencies, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 20-021 with American Electrical Testing Co., of Boonton, New Jersey, for expanded staff augmentation, specialized engineering, and technical support services at a cost not to exceed \$650,000, subject to the availability of funds.

**ITEM 1910-66: MORRIS AVENUE BRIDGE REHABILITATION PROJECT:
AMENDMENT TO NJ TRANSIT CONTRACT NO. 15-009X**

WHEREAS, the Morris Avenue Bridge located in Summit, New Jersey, is in poor condition and is in need of rehabilitation to improve structural integrity, increase load carrying capacity of the bridge and improve traffic, pedestrian, and railroad safety; and

WHEREAS, the rehabilitation of the Morris Avenue Bridge project was initiated by New Jersey Department of Transportation (NJDOT) as part of the Rehabilitation of Orphan Railroad Overhead Bridges Program (Railroad Overhead Bridge Act of 1988, N.J.S.A. 27:5G-5 to -19); and

WHEREAS, NJDOT and NJ TRANSIT signed “Agreement Between the New Jersey Department of Transportation and the New Jersey Transit Corporation – Morris Avenue Bridge Design/Construction Coordination Agreement” which states that NJDOT will fund the project and will provide complete design and bid documents, secure all required properties and easements, and provide executed utility relocation agreements with affected utility companies; NJ TRANSIT will assume responsibility for procurement and construction of the project; and

WHEREAS, in June 2015, NJ TRANSIT awarded construction contract to IEW Construction Group which included reconstruction of the bridge abutments; replacement of the steel bridge superstructure and concrete bridge deck; widening of the bridge approaches to improve bridge geometry; construction and rehabilitation of the retaining walls, curbs, sidewalks, and ADA ramps; installation of the ornamental railings on the bridge and the retaining walls; relocation of the traffic signal pole and the cantilever arm in the Morris Avenue and Kent Place Boulevard intersection; installation of new traffic signage and striping; and relocation of existing utilities; and

WHEREAS, during the early stages of construction, it was found that the designed bridge clearances had to be increased to meet stringent NJ TRANSIT’s Railroad Right-of-Way Engineering Guidelines; and

WHEREAS, this condition was discovered while conducting initial baseline surveying and construction layout; and

WHEREAS, the existing field conditions and bridge alignment warranted increased clearances to the railroad catenary lines running beneath the bridge; and

WHEREAS, the increased clearances would provide for a safer thorough fare for vehicular and pedestrian traffic over the bridge as well as the required protection for rail traffic below; and

WHEREAS, the changes to the safety clearance envelope resulted in the redesign and fabrication of a different type of protective shielding system which is required during the demolition and construction phases of the project; and

WHEREAS, the new protection shielding systems resulted in additional contract cost;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to increase the value of NJ TRANSIT Contract No.15-009X with IEW Construction Group of Trenton, New Jersey, for the Morris Avenue Bridge Rehabilitation Project in the amount of \$1,736,000 with the total contract value of \$8,608,225.18.

ITEM 1910-67: PERSONAL INJURY CLAIM OF LUIS ARZUAGA

WHEREAS, Article VI, Section II of the By-Laws requires Board Authorization for settlement of claims in excess of \$500,000; and

WHEREAS, Luis Arzuaga has presented a claim with a probable settlement cost greater than \$500,000; and

WHEREAS, staff has reviewed the claim and recommends settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to settle the claim of Luis Arzuaga through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

ITEM 1910-68: PERSONAL INJURY CLAIM OF NOELIA RODRIGUEZ

WHEREAS, Article VI, Section II of the By-Laws requires Board Authorization for settlement of claims in excess of \$500,000; and

WHEREAS, Noelia Rodriguez has presented a claim with a probable settlement cost greater than \$500,000; and

WHEREAS, staff has reviewed the claim and recommends settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to settle the claim of Noelia Rodriguez through her attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.