
No sound due to technical difficulties. The sound is restored at 14:21.

Dave Malone: The investment policy that you're being asked to approve today has no changes compared to the policy last approved by the Committee in March of 2023. Brendan will probably discuss this in more detail as part of his presentation but BST's reports specifically on investment compliance indicate that for our 2023 fiscal year, our investment program complied in all material respects with the various requirements we were obligated under our investment policy. And lastly, we earned \$58.4 million in interest on Thruway Authority investments in 2023, \$1 million on state trust fund investments, and \$101.5 million on state PIT investments. The average yield on the Thruway Authority investments for the year was 5.2% for an average maturity of about 41 days. I can answer any questions the Committee may have.

Bob Megna: We were never earning \$100 million on state debt when I was down there, except for this brief period. But other than that, I don't have a question. Anyone else? If not, can I have a motion to advance this item?

Dr. Veras: So moved.

Joanne Mahoney: Second.

Bob Megna: All in favor? Aye.

All: Aye.

Bob Megna: Any opposed? The motion is approved. Fourth is the approval of the annual report for 2023 Procurement Contracts, and Dave will present again.

Dave Malone: This item seeks the Committee's approval of the Authority's 2023 Annual Procurement Report. This report again is required under Public Authority's Law. Included in the report is a schedule of our procurement contract activity from 2023, a summary of our 2023 Bond Sales, and a copy of our Procurement Policy. We paid a total of \$422 million on procurement contracts in 2023. For perspective, in 2022, we paid out \$416 million, so very similar year-over-year spending. In the 2023 payment activity, \$300 million was paid out on low-bid contracts consisting of \$243 million on construction contracts, \$57 million on other low-bid commodity and service agreements, and we paid out \$122 million on best-value contracts with a breakdown of \$86 million on non-engineering, personal service agreements which include leases and \$36 million on engineering and architectural consulting agreement. Unless otherwise authorized by the Board, all procurement policies or excuse me, procurement contracts awarded in 2023, complied with the Procurement Policy, and lastly, we did not issue any debt in 2023, so that's what's reflected in that part of the report. And with that, I can answer any questions.

Bob Megna: Any discussion, any questions? If not, can I have a motion to advance this item?

Dr. Veras: So moved.

Joanne Mahoney: Second.

Bob Megna: All in favor? Aye.

All: Aye.

Bob Megna: Any opposed? The motion is approved. Number five on the agenda is any other business, is there any other business for discussion? If not, we can move on to adjournment. There being no further business, can I have a motion to adjourn the committee?

Dr. Veras: So moved.

Bob Megna: Can I get a second?

Norman Jones: Second.

Bob Megna: All in favor, aye.

All: Aye.

Bob Megna: The Finance Committee meeting is adjourned.

Joanne Mahoney: Alright. Thank you, Bob. Up next is the Audit Committee meeting chaired by Dr. Veras, also serving on the Committee is Heather Briccetti Mulligan and I serve as ex-officio. Dr. Veras, will you please convene the meeting of the Audit Committee?

Dr. Veras: Thank you, Chair Mahoney. The first item is approval of the minutes of the Audit Committee Meeting Number 61. My I have a motion to advance?

Heather Mulligan: I'll move it.

Dr. Veras: Second? Any for discussion. All in favor? Aye.

All: Aye.

Dr. Veras: Opposed? The motion is approved. The next item on the agenda is a report from BST on the Audit of the Authority's Financial Statements, a Report of a Single Audit,

a Report on Compliance with Investment Guidelines, and Required Communication to the Authority Board. Now, Brendan Kennedy from BST will present.

Brendon Kennedy: Buckle up, this is going to be exciting. So, everyone should have a copy of the audit presentation. I'll walk you through these slides and if there are any questions, we'll save time for discussion. Past the cover page is the table of contents laying out what we'll be discussing. Brief Executive Summary, we'll talk about Financials New Accounting Standards. We also did a Single Audit, which is an audit of your federal grant programs. Dave mentioned our examination of your Investment Compliance, we'll make our required communications, talk about a new accounting standard that's in the pipeline, and again, save time for any questions or comments that you folks might have. So, flipping past the table of contents, an Executive Summary.

So, we wrapped up work about three weeks ago, almost four weeks ago. The deliverables include our opinion on your basic financial statements. We also have a report on internal control and compliance in accordance with government auditing standards. Our report on each major program, that's our single audit. Our audit of your federal programs, our investment compliance, and then, of course, those required communications as a separate deliverable, but I'll make most of those communications to you folks today verbally in addition to the full communication.

So, continuing to the next page, the Independent Auditor's Report, we have an unmodified opinion, everything is, of course, in draft form right now, subject to your approval, but we're proposing an unmodified opinion. That's the highest level of assurance that we can give you, the Board, that the financial statements are free of material error. In regard to the Internal GASB report we'll call the next one, no material weaknesses or significant deficiencies, and no material noncompliance came to our attention as a result of our audit work. Single Audit Report, we have a proposed unmodified opinion. There are two opinions contained on the federal single audit, one is on compliance and two is on internal controls over compliance, and both of those are unmodified again, also known as a clean opinion. And finally, Dave mentioned this before, but our report on investment compliance, it was our determination that you materially complied with Public Authority's Law relative to your investment program and investment policy. So, that is the Executive Summary.

Moving on now to the basic financial statements, and so what I like to do here is just kind of give you a layout. We're not going to go detailed through the financial statements, but just so you can see what the actual report contains. The first three pages are our auditor's report, that's really the only thing that we at BST own included in the document. The rest of the document is prepared by the Authority here. And so then we have on pages 4-13 the MD&A. I affectionately refer to that as the cliff notes to the financials. It's a high-level summary, it gives you a nice overview and narrative of what happened during the year. The actual numbers of the financials are on pages 14-17. On 18-50 are the notes that the detail that explains all the transactions, and then at the back of the report is the required

supplementary information, which is required under governmental accounting standards. So, the areas we focused on should be relatively consistent with the prior years. So, I won't read these verbatim, but these are the various areas of audit focus. And in these instances, we gain an understanding of the transactions making the areas up. We select samples in certain cases, and vouch transactions, and verify that they're properly recorded and reflected in the financials.

So, moving on, our results, in our opinion, the processes and controls appear to function properly. Transactions were adequately supported. Management judgments were reasonable, we considered bias that management may have when making estimates, none came to our attention. Thruway staff have been courteous and helpful and anything we asked for as part of our audit, was provided to us. So, no issues there.

Moving onto the next page, page 7 here, just briefly, we did consider the adoption of GASB 96. This deals with subscription-based information technology arrangements. It's a mouthful, it's commonly referred to as SBITA. There is a footnote in our report talking about the adoption, or excuse me, 1U in the footnotes talks about the adoption along with a footnote 12 that was added to the financials that go through these kinds of transactions. For your reference, it's not overly material to the financials, but it was handled properly by the Authority, they did their due diligence. They made sure it was implemented correctly. Below that we list the steps we took to validate its implementation in the financials here. Very similar to the lease accounting standard. This is kind of the brother or sister accounting standard that followed leases. So, that was addressed in the 2023 financials.

So, we have one type A program that required auditing as part of the federal single audit, that was the Highway Planning and Construction 20.205, a very common program in municipalities, very common here at the Authority. What I did here was I took a snip, I love snipping, and I highlighted the different areas that we had to address. Single audits are a little different than financial audits, they're very scripted. We have to follow basically the federal templates for auditing the different areas. And so, here we are just mapping out the different compliance requirements that we focused on.

The main audit procedures consisted of sampling expenditures to make sure they were allowable and complied with the federal requirements. We went through the procurement standards to make sure that the Authority complied with all the required procurement rules and regulations, and then we went through some special tests and provisions including making sure that prevailing wages were incorporated into the contracts and were submitted as well as quality assurance plans. Some of those compliance areas that I highlighted on that previous snip, moving onto page 10, we found not to be direct in the material. So, while they were applicable per the federal requirements, they weren't applicable to us and the activities we were doing, and therefore we did not test them. And we list some of those out there. For example, we're not going to test subrecipient monitoring, if you didn't pass any money to subrecipients, that kind of thing. So, based on the results of all of our

procedures, we determined that the Authority materially complied with the federal requirements and that your internal controls were properly designed and effective.

Moving on next, the examination of investment compliance. Why don't I just skip right down to that last bullet point because I think we talked about it a few times already. No compliance matters were identified as part of our examination, and therefore we believe you earned an unmodified opinion.

Moving onto the next page, required communications, we went through your accounting policies, which are disclosed in footnote 1, no significant changes other than the adoption of GASB 96. No unusual transactions. No disagreements with management. No difficulties encountered. There were no audit adjustments or material uncorrected audit differences, very rare. BST only has out of 130 to 40 municipal or state-related clients, there's only a handful I can say, you don't come across any audit differences. So, that puts you in a pretty tight group there. No consultation with voter accountants. Beyond the adoption of the new accounting standard, no significant transactions. And really the only sensitive matter discussed with management would be the litigation claims that we annually have to review with your attorneys and make sure they're properly disclosed or reflected in the financial statements.

On page 13, we have our significant accounting estimates. The areas you'd expect allowance for uncollectable receivables, claims payable, and depreciation, and then we have a couple of significant actuarial related liabilities; OPEB being our post-retirement and then net pension liability which is reported to us by the State of New York. So, we've included in that formal communication any significant communications which, at this point, is just a management representation letter that will be included once we receive a signed copy.

Moving on to page 14, just to give you a heads up of what's coming down the pike for 2024, I'm sure Dave and his team and Andy our new Director of Accounting are looking at this. But we have GASB 101 to contend with. It is possible that it will change the methodology in which we calculated our crude compensated absences but just as in the past year, we'll be available to work with the Authority and its management to make sure this accounting standard is properly reflected in the statements and will report back on that adoption in the future. Beyond that, that's our required presentation here. If there are any questions or comments, I'm more than happy to address them. As I like to remind the Board, I work for you folks. If you think of a question tomorrow, the next day, or next week, they have my contact information, I believe, included in the back, feel free to reach out to me. I'm always happy to speak to you about any concerns or matters regarding the Authority, or if you just want to say hi.

Dr. Veras: Thank you. Any discussion? May I have a motion to advance? All in favor?

All: Aye.

Dr. Veras: The motion is approved. Is there any other business? Hearing no other business, may I have a motion to adjourn the Committee of Audit.

Heather Briccetti-Mulligan: I move.

Joanne Mahoney: Second.

Dr. Veras: All in favor?

All: Aye.

Dr. Veras: That ends the business of the Audit Committee and the meeting is adjourned.

Joanne Mahoney: Thank you, Dr. Veras. Next up, is the Governance Committee which is Chaired by Heather Briccetti-Mulligan, and Norman Jones, and I am ex-officio. Heather, will you convene the meeting for the Governance Committee?

Heather Briccetti-Mulligan: Yes, thank you, Chair Mahoney. The first item is the approval of the minutes of Governance Committee Meeting No. 36. Do I have a motion to advance and discuss the item?

Norman Jones: So moved.

Joanne Mahoney: Second.

Heather Briccetti-Mulligan: All in favor?

All: Aye.

Heather Briccetti-Mulligan: Motion carries. Next is a review of an Approval of Bylaws and Certain Authority Policies. Joe Igoe, First Deputy General Counsel will be presenting on behalf of Sandra Rivera.

Joe Igoe: Good afternoon, for review and approval by the Governance Committee is our proposed changes to the Authority's Bylaws and Certain Authority Policies. The proposed changes to the Bylaws include changing the name of the Strategic Center of Excellence to the Department of Strategic Management, and the head of that department to the Director of Strategic Management. So, in March 2023, the Board approved Bylaws changes adding three new departments to the Authority as part of the modernization project that reviewed how to better align the work of the Authority. The Center of Excellence was one of the new departments created. The proposed name change to the Department of Strategic Management better aligns with the work of this department.

Okay, next are review of certain Authority policies. So, the Governance Committee Charter requires the Governance Committee to review certain Authority policies. The Public Authority's Law requires some policies to be reviewed by the Board on an annual basis. Additionally, the Authority's Budget Office recommends other policies be reviewed and evaluated on an annual basis. So, consistent with this, attached for your review are the Real Property Management Policy, the Personal Property Disposal Policy, the Procurement Contracts Policy, Whistleblower Policy, Code of Ethics Governing Employees, and Code of Ethics Governing Board Members. No changes to the policies are recommended except to the Whistleblower Policy. These changes include number 1, adding a clarification that employees are encouraged to report alleged wrongdoing without fear of adverse personnel action, number 2 adding the Bureau of Safety as an office to which alleged wrongdoing may be reported, previously that office was within the Bureau of Labor Relations, and 3 adding the phone number for the Authority's Budget office as an entity to whom wrongdoing may be reported. So, it is recommended that the Governance Committee approve these policies and authorize that they be presented to the Board.

Heather Briccetti-Mulligan: Is there any discussion of these items? May I have a motion to advance this item?

Norman Jones: So moved.

Joanne Mahoney: Second.

Heather Briccetti-Mulligan: All in favor?

All: Aye.

Heather Briccetti-Mulligan: Any opposed? The motion is approved. Is there any other business to come before the Governance Committee? There being no further business, may I have a motion to adjourn today's meeting of the Governance Committee?

Norman Jones: So moved.

Joanne Mahoney: Second.

Heather Briccetti-Mulligan: All in favor?

All: Aye.

Heather Briccetti-Mulligan: That concludes the business of the Governance Committee, the meeting is adjourned.

Joanne Mahoney: Thank you very much. At this time, I would like to call to order the Board meeting of the New York State Thruway Authority #762. This scheduled meeting has been dually noticed as required by the Open Meetings Law. May I have a motion to enter the Board Meeting?

Heather Briccetti-Mulligan: So moved.

Bob Megna: Second.

Joanne Mahoney: All in favor?

All: Aye.

Joanne Mahoney: We are now in the full meeting of the Board. Our first order of business is the public comment period for speakers to address items on today's agenda. Julie has anyone signed up to provide comments regarding today's agenda items?

Julie Greco: No Chair, not for the agenda items.

Joanne Mahoney: Okay, so that concludes the public comment period on today's agenda. The next order of business is the approval of the consent agenda. May I have a motion to approve consent items 1 through 6?

Bob Megna: So moved.

Heather Briccetti-Mulligan: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: Any opposed? Alright, the motion is approved. We'll move on the action agenda, and I'll turn it over to the Director for Administrative Services, Selica Grant, for the next four items related to staff appointments. Selica?

Selica Grant: Thank you, Madam Chair, Members of the Board. The first item is for approval to have a permanent appointment for Nicole Leblond as Chief of Staff. Ms. Leblond joins us from the New York State Department of Agriculture and Markets. She brings a wealth of knowledge from both the private and public sectors including areas such as Regulatory Reform, Policy Development, and Strategic Communications. She will be joining us as Chief of Staff. Are there any questions?

Joanne Mahoney: Excellent, any questions? May I have a motion to approve?

Bob Megna: So moved.

Norman Jones: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: Any opposed? The motion is approved, and congratulations to Nicole. Agenda item #8 please Selica.

Selica Grant: Yes, the next item is to permanently appoint Erika Beardsley as the Director of the newly established Department of Strategic Management formerly COE. Erica has been with the Authority since the Fall of 2022, and her department will be responsible for the ten-year strategic plan development, implementation, goal setting, and reporting.

Joanne Mahoney: That's excellent, that is quite the scope of work, and may I please have a motion to approve?

Heather Briccetti-Mulligan: So moved.

Bob Megna: Second.

Joanne Mahoney: Any discussion? All in favor? Aye

All: Aye.

Joanne Mahoney: Hearing no opposition, that motion is also approved, and congratulations to Erika. And staff appointment of Andrew Trombley as Director of Procurement Services.

Selica Grant: Yes, thank you. The next item is to appoint Andrew Trombley to the permanent role of Director, he has served as Acting Director of Procurement Services since the Spring of 2021. He has been with the Authority since Fall 2019. The Department of Procurement Services is responsible for Authority functions including purchasing, MWBE compliance, and the capital contract management program.

Joanne Mahoney: Alright, thank you. Any questions or comments? If not, can I please have a motion to approve?

Bob Megna: So moved.

Heather Briccetti-Mulligan: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: And I will say, you probably are all aware that I've had the pleasure of working for Andy in a previous life or working with Andy, and I am very happy that you're now permanent in this role at Thruway, Andy. Agenda item #10, Diana Nebiolo.

Selica Grant: Yes, a final item for me, Chair is to ask the Board to permanently appoint Ms. Diana Nebiolo to the Director position for Revenue Management. She has served as Acting Director since the Fall of 2022. The Department of Revenue Management is responsible for all revenue management operations including toll collection, E-ZPass, and commercial operator services.

Joanne Mahoney: Alright, again, any comments or questions? Then I'll take a motion. Bob, was that your hand?

Bob Megna: That was me making a motion.

Heather Briccetti-Mulligan: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: And there is no opposition. And that motion is also approved. Congratulations to Diana. And now Joe Igoe will you please present item #11 to us?

Joe Igoe: Okay, yes. Good afternoon. Item 11 seeks authorization for the auction of approximately 15.189 acres of real property in Hamburg, Erie County for a minimum bid of \$3.1 million. An auction of the subject property was approved by the Board in June 2023; however, a public auction was held in October 2023, with a minimum bid price of \$4.95 million, but there were no bidders. The subject property is currently vacant, it contains drainage structures, utility poles, and a gas line and would be conveyed with the reservation of approximately 12,000 square foot permanent easement for the New York State Department of Transportation to use for drainage near the northeast corner of the property. Why there is a change in minimum bid price here, is various issues including access to the subject property, and a recent change of zoning. Previously the zoning was unrestricted, and now there are restrictions on it. Regarding access, the 4.965 prior minimum bid was based on signalized access to the site, however after the first appraisals were conducted, the Federal Highway Administration denied that access. So, the new access to the site is less favorable. The Authority received two new independent appraisals. Based on those appraisals, the Office of Real Property Management has determined that the fair market value of the site is \$3.1 million. So, if the minimum bid of \$3.1 million is

met, the Acting Executive Director would have authorization to do everything associated with the transfer of this property to the winning bidder. Are there any questions?

Dr. Veras: If I understood this correctly, the property was valued at \$1.5 million way back and then increased to \$3 million?

Joe Igoe: No, it was 4.9.

Dr. Veras: Oh, 4.9, okay.

Joe Igoe: Yes, it went down.

Joanne Mahoney: Any other questions or comments? Alright, can I please have a motion to approve?

Norman Jones: So moved.

Bob Megna: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: Alright, the motion is approved. Thank you very much, Joe. Agenda item #12 Andrew Nagy will present on behalf of Jim Konstalid.

Andrew Nagy: Yes, good afternoon, item #12 is authorizing the Acting Executive Director to execute an agreement with the Town of Ulster for the installation of a water supply line and provisional water to the Ulster Service Area. The Town of Ulster has agreed to allow the Thruway to connect with Halcyon Park Water District as an outside user to supply water to the Ulster Service Area. The Town will design, and install a water transmission main from the Halcyon Park Water District main nearby on Frederick Drive. The Town of Ulster requires a capital contribution of \$186,800 for the line installation and hookup. Upon completion of the line installation and hook-up, the Town shall charge the Thruway for water services at the rate of \$13.35 per 1,000 gallons. The term of this agreement shall be 40 years from the date of execution, and the Authority shall have the right to renew the agreement for two consecutive 10-year terms. The funding will be provided through the Department of Maintenance and Operations 2024 operating budget. Any questions?

Joanne Mahoney: Does anybody have any questions?

Heather Briccetti-Mulligan: Yeah, is the water rate that's being charged is consistent with other commercial rates?

Andrew Nagy: It is. So, we're going to be an outside user. If we were an inside user in the water district, we wouldn't even require a contract. But because we're an outside user, it was checked, and it is consistent with what we pay in other service areas as an outside user and consistent for other entities such as schools that are outside users and what they pay.

Heather Briccetti-Mulligan: Okay, thank you.

Joanne Mahoney: Any other questions or comments: Alright, hearing none, can I please have a motion to approve?

Heather Briccetti-Mulligan: I'll move.

Dr. Veras: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: Hearing no opposition, that motion is approved. And Brent Howard will present the next several items for us, Brent?

Brent Howard: I can't promise as exciting ride as Brendan gave us here, but I'll try my best. Item #13, requests additional funding and schedule changes for three pavement rehabilitation projects in the Buffalo Division. These projects were originally scheduled for lettings in 2027 and 2028, however deteriorating pavement conditions over the winter mean that the projects need to be moved up to 2024 lettings to address safety and reliability concerns. The project in question is project H142.1 which is a pavement rehabilitation for mileposts 351 to 362 and has a budgeted cost of \$20 million. Project H368.1 is a pavement rehabilitation project for mileposts 362 to 378 which has a budgeted cost of \$33 million, and the third is project H145.1 which is a pavement resurfacing for mileposts 430 to 438 which has a budgeted cost of \$15.2 million. I'm going to turn it briefly over to Dave Malone who alluded to a way we're considering funding these projects.

Dave Malone: Thanks, Brent. So included in this item is seeking authorization to carry over, if needed, up to \$17.1 million of approved unspent funds from our 2023 fiscal year to fund a 2024 cash flow associated with these three projects. It's very early in the year, there's a lot that can change with cash flow between now and the end of the year, so that's why I say, if needed, and when I come back to present the 2024 revised financial plan towards the end of the year, I'll report back to the Finance Committee and the Board on the actual amount that's carried over once we have a clear picture on how the year's going in total with our capital program.

Brent Howard: Are there any questions?

Joanne Mahoney: Any questions? Alright, may I please have a motion to approve?

Bob Megna: So moved.

Heather Briccetti-Mulligan: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: Alright, hearing no opposition, the motion is approved. And Brent #14, please.

Brent Howard: Yes, #14 seeks authorization for contract D214972 which is a term agreement for construction inspection support services in the New York Division. This contract has a maximum amount payable of \$3 million. Its goals are 30% MWBE and 6% SDVOB. It has a 3-year term with a 1-year extension option. 19 firms submitted letters of interest, and 6 were shortlisted. ALRA Engineers PC of Pearl River, New York is the selected firm. Any questions?

Joanne Mahoney: Any questions or comments? May I have a motion to approve?

Norman Jones: So moved.

Bob Megna: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: The motion is approved. And I think we're on #14? Item 15, please.

Brent Howard: Alright, item 15 seeks authorization for contract D214973 which is a term agreement for construction inspection support services in the Syracuse Division. This one has a maximum amount payable of \$4 million. The goals are 30% WMBE and 6% SDVOB. This has a 3-year term with a 1-year extension option. 3 firms submitted letters of interest and Erdman, Anthony, and Associates, Incorporated of Rochester, New York is the selected firm. Any questions?

Joanne Mahoney: Any questions? May I have a motion?

Bob Megna: So moved.

Heather Briccetti-Mulligan: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: Any opposed? The motion is approved. Thank you, and number 15 please, or am I off again, 16?

Brent Howard: Alright, item 16 seeks authorization for contract D214974 which is a term agreement for design support services statewide. This has a maximum amount payable of \$3 million. Similar goals are 30% WMBE and 6% SDVOB. This has a 3-year term this one has a 2-year option to extend. 16 firms submitted letters of interest, 6 were shortlisted, and Stantec Consulting Services of Albany, New York is the selected firm.

Joanne Mahoney: Any questions?

Norman Jones: So moved.

Bob Megna: Second.

Joanne Mahoney: Any comments? All in favor? Aye

All: Aye.

Joanne Mahoney: Any opposed? The motion is approved. And #17, please.

Brent Howard: Alright, item 17 seeks authorization for contract D214976 which is a term agreement for preliminary engineering support services statewide. This has a maximum amount payable of \$3 million. 30% WMBE, and 6% SDVOB. This has a 3-year term with a 2-year option to extend. For this one, 15 firms submitted letters of interest, 5 were shortlisted, and Greenman-Pedersen, Incorporated (GPI) of Albany, New York is the selected firm. Any questions?

Bob Megna: I don't have, well, it's a semi-question I guess. So, all of these \$3 million deals, is it like a renewal process that we're going through for these services? or is it just like the annual volume for this kind of work?

Brent Howard: This is basically, the annual volume. These are services that we need in support of our design program or construction program, and new terms for new projects, and new assignments, but just based on our workload we're letting them out now.

Bob Megna: Great, thank you.

Joanne Mahoney: Any other questions or comments? May I have a motion to approve?

Heather Briccetti-Mulligan: So moved.

Dr. Veras: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: The motion is approved. Agenda item number 18 please, Brent.

Brent Howard: Okay item 18, this item requests additional funding and increasing the maximum amount payable for contract TANY 23-7 which is the New York Division On-Demand Repair Contract for 2023 and 2024. We are seeking an additional \$3.45 million in funds to be added to the contract. This includes \$3.2 million to fund past and current emergency assignments under this contract and an additional \$250,000 in the event of an emergency condition occurring before the new on-demand contract being fully executed. Total authorization is requested for this contract not to exceed \$6,424,100. Any questions?

Norman Jones: This is the one I believe I have a concern on, where it did not call for additional bidding or additional quotes to this. I'm concerned that of the folks you are not getting the best out of the bidding process.

Brent Howard: Yes, and the reason why we choose to supplement this particular contract is due to some timing considerations in the timeframe that some of this emergency work needs to be done. However, the next item does address your concern, and one of the reasons that the next item is on the agenda is to recognize that we need to put the opportunities out there for additional contractors to bid on these projects.

Norman Jones: Thank you. I just want to make sure that we're not just having something that we didn't get the best and using this as a catch-all. We have to make sure that we're doing this in line with our good procurement practices.

Brent Howard: Understood.

Joanne Mahoney: Any other comments or questions? May I please have a motion?

Bob Megna: So moved.

Dr. Veras: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: The motion is approved. #19, that brings us to agenda item 19.

Brent Howard: Alright, item 19, this item requests additional funding, a title change, and a schedule change for project B229.1 which is the New York Division On-Demand Repair Contract for 25 and 26. This project is currently included in the capital program with a budgeted cost of \$3 million and is scheduled letting date of October 24th. Recognizing the need to have on-demand services available at all times and also in the spirit of competition among contractors, this item would move the existing letting date to the second quarter of 2024, and increase the maximum amount payable to \$5 million, which is in line with historic usage of these contracts. Funding would be available from project deferments and/or bid savings from the 2024 capital program. Any questions?

Norman Jones: Just a comment, makes a lot of sense, thank you.

Joanne Mahoney: Could I have a motion to approve?

Bob Megna: So moved.

Joanne Mahoney: And I heard a second. All in favor? Aye

All: Aye.

Joanne Mahoney: That motion is approved. Agenda item #20, please.

Brent Howard: Alright, item 20 requests additional funding for TANY 24-8 which is a pavement rehabilitation project in New York Division from milepost 46 to 60. This project was let on February 28th of 2024, and it was in the contracts program for \$28 million. The engineers' estimate prior to letting was \$31.8 million and we received a low bid of \$36,578,827. As usual, in these cases, our engineers performed a bid analysis which included reviewing the various item costs and having conversations with the bidders and suppliers. In this particular case, the asphalt and pavement repair items are where the bulk of the cost escalation was. After review, it was determined that the bid represents a reasonable value for the work, and therefore we are requesting an additional \$8,578,827 for the project. This funding will be available from project deferments or bid savings from the 2024 capital program. Any questions?

Norman Jones: This estimate was done in-house and, in this case, it was done by a contracting engineering firm, what would be your recourse?

Brent Howard: Well, generally speaking, we take a look at the items that are, and I should clarify this, it is done in-house, generally we take a look at the items in question. We have review meetings before lettings where we review the bid prices that we expect to receive,

in this case, in particular, the pavement repair items came in much higher than was originally expected, and it appears to have to do with the number of repairs that were included in this particular contract, and the contractor needing to have multiple teams working at a given time to get the work done on schedule.

Norman Jones: Thank you.

Bob Megna: Can I ask a little follow-up to that? Do we find that our inside estimates vs. our outside estimates vary or are more accurate, or is that something that we haven't found over time?

Brent Howard: The review I was talking about occurs whether it's a consultant design or an internal design, and that involves a lot of our senior staff taking a look at the items, the quantities, the bid histories that we have and, in this case, this particular contract came in quite a bit higher than any of those numbers.

Bob Megna: I get that. I meant...

Brent Howard: that's the process that happens regardless.

Bob Megna: And I get the process, but do we find that when we go outside for these kinds of bid analysis that they're better or worse than the ones we're doing internally in terms of then you having to review them for changes, or anything like that?

Brent Howard: I would say no, I'd say it's about the same either way.

Bob Megna: Okay, thank you.

Joanne Mahoney: Any other questions or comments? Could I please have a motion to advance agenda item #20?

Bob Megna: So moved.

Heather Briccetti-Mulligan: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: That motion is approved. And then I think Brent, your last one is agenda item #21, please.

Brent Howard: This is the last one, yes. Item 21 requests a scope increase in additional funding for B776.2 which is a bridge preservation project for milepost 29.54 bridge of

Route 202 in the New York Division. This item requests a change to the scope of the project to include necessary joint replacement work at an adjacent bridge at milepost 29.41 which is the Thruway over the Mahwah River. Given the proximity of these two bridges, this is the most cost-effective approach to completing the work required and milepost 29.41 bridge to accommodate the expanded scope as well as address anticipated material cost increases for the original project. A budget increase of \$4 million is being requested, bringing the project to a total of \$14 million. Funding again will be available from project deferments or bid savings from the 2024 contract permits or bid savings from the 2024 contracts. Any questions?

Joanne Mahoney: Hearing none, could I have a motion?

Dr. Veras: So moved.

Heather Briccetti-Mulligan: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: That motion is approved. Thank you very much, Brent, for all of those. And we're going to move now to receive staff reports. Procurement Services will be presented by Andrew Trombley, welcome.

Andrew Trombley: Thank you, and good afternoon. I am sparing you from my usual quarterly report due to the schedule for the meeting, but I did want to take the opportunity to and for members of the Board that are here got to meet her in person, our new Director of the Office of Compliance, Danielle Adams. Danielle comes to the Thruway Authority with extensive experience and knowledge of the New York State MWBE SVDOP program. She most recently served as the Director of the Office of Contractor and Supplier Diversity at Empire State Development, and we here at the Authority are thrilled with such an experienced leader in Contract Compliance Management is joining the Authority. And that's my report.

Joanne Mahoney: That's excellent, welcome, Danielle. Does anybody have any questions or comments? Alright, thank you Andrew for that and we can move on to the public comment period for general Thruway Authority matters. This is the second public comment period, and it is for individuals who wish to make a public comment who have signed up in advance to speak on any issue relative to the Authority. I see Mr. Murray on his way. So, Julie, I will ask you do we have any additional comments besides Murray who wants to speak.

Julie Greco: No, Chair, we just have Mr. Murray Bodin here today in Albany to make a public comment.

Joanne Mahoney: Okay, thank you. Welcome Murray, the floor is yours.

Murray Bodin: I have three issues to bring to your attention today. You referred to divisions in various orders, this is a State Police issue. The State Police are police, not troopers. The division should be Division T for State Police and not Troopers. That's over. State Police should be wearing these jackets as well as everybody else. It's a safety issue, they are the only ones not wearing it at an accident. Things are changing. I passed numerous tow trucks coming up here today, those with flatbeds have their lights off. In the past, they had their lights on even if they weren't flatbedding it, and the lights were yellow, not the usual. That's an important change. Third, when I came downstairs, there was no handicapped button for those doors to open for me. That I made you aware of years ago, and it hasn't been changed. Handicapped people like me, and I know people who work here from years ago, had to have somebody open the door. The timeline for repairing this is not five years, it is yesterday. We don't go on abusing people. This diagram that I showed you is out of the 2023 manual. You have to forgive me if I speak slowly because my ability to think as fast as it was, is gone. What they did was to define what used to be called the shoulder as an auxiliary lane. It's not a shoulder anymore. That means a lot of things: 1) when you have an exit, you can elongate the deceleration line and use the shoulder for the deceleration line. And once you have cars decelerated and it's only one lane exit, not two, then the people cannot cross back into other traffic going sixty-five miles an hour, therefore the line from the point where the ramp starts, must be yellow. In the past, people could cross that. That must be prevented using a double white line or whatever is appropriate. In the time length, you've had five years to change, no, the issue is any line painted from this meeting going forward needs to be painted correctly according to this diagram which is brand-new in this 2000 manual. Now safety counts. You talk about safety here, Frank, that's the ability of the Executive Director to see that this is implemented. Now, any line painted going forward must be as indicated on this, and if the Executive Director cannot do that, then it is the responsibility of this board to find a new Executive Director. He is responsible for the safety of this organization. I've already recommended that the New York State Commissioner of Transportation be replaced because she does not insist that the lines used by DOT be correct, legally correct. This is our responsibility; a day goes by buildings are falling down because the building inspector didn't follow the rules. What makes it possible today is everybody has a camera. Everything is documented. I can't do all the things, I came up through one of your new service areas and I went to Panera, which I go to all the time, but there was nobody there to help me order. There was a picture thing there, and I had to figure it out, and I had no idea how to get my food. This is designed for young people, but you have to recognize more and more older drivers like me are on the road. And we can't tell the difference when you say we're going to use a wider line for emphasis, who are you kidding? These people are talking on a phone, texting, and being aggressive drivers, and you want them to notice that the width of the line has any meaning. Who are you kidding? People are staying in the left lane improperly, why? Because they're used to it. Because they see a solid line there. We make the crosswalks go on top of this double yellow line, that was designed 50

years ago when people didn't know what crosswalks were. Now, the driver needs to have a continuous line on his left, and these changes need to be done immediately and not in five years. It's your responsibility as a Board that if this isn't done with the next line that's painting anywhere on your construction site in accordance with this, then you need a new Executive Director here too. Safety counts, you all talk about safety and saving lives, not only do you save lives, you really save money. I'm 90, I'll be 91 years old in June, my body is breaking down and so is my mind. I can't find the words; I have to ask people who they are. I don't like it, but they're right, nothing works like standing here in front of you person to person. Nothing works like it. That's why getting back to the office is so important. What's happening between you and me on Zoom, half of it is lost, because you're not sitting there. I know it. Now, it's your responsibility because the world has changed so radically, that they're putting in stations for charging cars. We know it's coming, stop denying it. Help it. They told you the right words. I've met the head of the Federal Highway Administration, he's got young kids, he understands what's going on. He took away out of this thing all those things called warrants, this is what you should do, it's not one size fits all. We're all a little bit different, and people my age are continuing to drive because that's the only way to get around. So, recognize that people my age are stupid, we cannot tell the difference between the width of the line. You want me to go somewhere, put a double white line in there. And automatic driving coming, they're going to have it in New York City, they're going to have autonomous taxis this year, yellow on the left, white on the right, saves a lot of lives. I can't make you do anything anymore. My time is over, I make you aware of this. If you can't follow it up, it's your children's children that are going to suffer. I want to take this time to thank the very many people at the Thruway who've taught me and educated me to be able to do this. I'm not that smart. Going back to John Platt and the rest of them, they all taught me, and I listened, and their advice was good. I can't remember everybody's name here but without your help, I could never have done this. I probably will never be here again, so thank you all.

Joanne Mahoney: Thank you very much for that, Mr. Bodin, and I hope that that's not the case, I hope we see you again, thank you for taking the time to come to our meeting and we will make note of your comments. That concludes the formal agenda for the April 9, 2024, Board of Directors Meeting, and I would just like to see if there's any other business that any board members would like to bring to our attention. If not, can I have a motion to adjourn today's meeting?

Dr. Veras: So moved.

Bob Megna: Second.

Joanne Mahoney: All in favor? Aye

All: Aye.

Joanne Mahoney: That adjourns our meeting for today, our next meeting is scheduled for Tuesday, June 11th, at 1:00 p.m. and I'd like to thank everybody who's in attendance there today, and I will see you all soon.