



# **BOARD OF DIRECTORS MEETING**

**MARCH 27, 2023**

**ALBANY, NEW YORK**



# Thruway Authority

## **BOARD MEETING AGENDA**

Meeting Number 757

March 27, 2023

Albany, New York

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### **A. Public Comment Period on the Agenda Items**

### **B. Consent Items**

1. To consider and act upon the Minutes of Thruway Authority Board Meeting No. 756
2. Review and Approval of the October, November & December 2022 Financial Reports
3. Approval of the Authority's Investment Transactions –Fourth Quarter 2022
4. Review and Approval of the Authority's Annual Investment Report
5. Annual Report of the 2022 Procurement Contracts
6. Report of BST & Co. CPA's, LLC's Audit of the Authority's Financial Statements, Report on Compliance with Single Audit Requirements, Report on Compliance with Investment Guidelines and Required Communications to the Authority's Board
7. Amending the Thruway Authority's Bylaws
8. Review and Approval of Real Property Management Policy, Personal Property Disposal Policy, Procurement Contracts Policy, Whistleblower Policy, Code of Ethics Governing Employees, and Code of Ethics Governing Board Members

### **C. Action Items**

9. Appointing Frank Hoare as Interim Executive Director
10. Authorization for the Interim Executive Director to Execute a Collective Bargaining Agreement between the Thruway Authority and Local 456, New York State Thruway Employees International Brotherhood of Teamsters
11. Authorization for the Interim Executive Director to Approve Geographic Pay Differential for Select Maintenance Titles
12. Authorizing the Interim Executive Director to Execute Agreements to Provide Outside Counsel Services to the Authority
13. Authorizing the Interim Executive Director to Execute a Contract Amendment with Whiteman, Osterman and Hanna, LLP

14. Declaring Real Property Reference No. TB21-2, Located in the Town of Hamburg and County of Erie, as Not Necessary for Authority Corporate Purposes and Authorizing the Auction Thereof
15. Declaring Full Jurisdiction Over Title Real Property Reference No. TB22-4 Located in the Town of Hamburg and County of Erie, as Not Necessary for the Authority's Corporate Purposes; and Consenting to the Transfer of Such Jurisdiction to the New York State Department of Transportation
16. Authorizing the Interim Executive Director to Execute an Agreement with Geocomp Corporation to Continue to Provide the Thruway Authority with a Structural Health Monitoring System for the Governor Mario M. Cuomo Bridge
17. Authorizing the Interim Executive Director to Execute a Second Amendment to Agreement C010601 with Mission Critical Partners, LLC for Tiburon CAD/RMS System Support
18. Authorization to Enter into an E-ZPass Interoperability HUB Agreement and Associated Annual Costs; and E-ZPass Interagency Group Annual Membership Dues
19. Authorizing the Execution of Agreement D214918 with, Atlantic Testing Laboratories, Limited
20. Authorizing the Execution of Agreement D214919; with, Atlantic Testing Laboratories, Limited
21. Authorizing the Execution of Supplemental Agreement No. 1 to Engineering Agreement D214776
22. Authorizing Additional Funding for TANY 22-36A-6/D214885, Replacement of a Deteriorated Roof at the Harriman Maintenance Section MP 45.20 in the Town of Harriman in Orange County in the New York Division
23. Authorizing Funding for H302.1; TAA 23-19/ D214924, Albany Division MP 180 to MP 197.9 Pavement Resurfacing and Repairs at Various Locations
24. Authorizing the Interim Executive Director or Designee to Execute an Agreement with the American Association of State Highway Officials, Inc. for a Five Year Contract for Licensing and Implementation of AASHTOWare Software Systems

**D. Report to the Board**

25. Report on Procurement Contracts and Other Agreements Up to \$300,000 Executed by the Executive Director During the Period July 1, 2022 Through December 31, 2022
26. Interim Executive Director Report to the Board

- E. Public Comment Period for General Thruway Authority Matters (15 Minute Limit)
- F. Other Business
- G. Adjournment

Meeting No. 757

Item 1

Appendix A

TO: The Thruway Authority Board

DATE: March 27, 2023

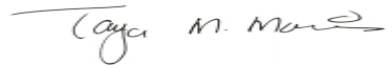
FROM: Tanya M. Morris  
Secretary

SUBJECT: Approval of Minutes of Board Meeting No. 756

Copies of the Minutes of Board Meeting No. 756 was made available to the Board Members as part of the Agenda.

RECOMMENDATION

It is recommended that the Minutes of Board Meeting No. 756 held on December 5, 2022 be approved by the Board.



Secretary

RECOMMENDATION APPROVED:

  
Interim Executive Director



**MINUTES  
NEW YORK STATE THRUWAY AUTHORITY  
BOARD MEETING NO. 756  
December 5, 2022**

Meeting minutes of the New York Thruway Authority, held in the boardroom at 200 Southern Boulevard, Albany, New York.

The meeting of the New York State Thruway Authority Board opened in session for the consideration of various matters. These minutes reflect only the items considered by the New York State Thruway Authority Board. The meeting began approximately at 12:10 p.m.

The following committee members were present:

Joanne M. Mahoney, Chair  
Robert Megna, Vice-Chair  
Jose Holguin-Veras, Ph.D., Board Member  
Heather Briccetti Mulligan, Board Member

Constituting a majority of the members of the Thruway Authority Board.

Staff present:

Matthew J. Driscoll, Executive Director  
Matthew Trapasso, Chief of Staff  
Matt Howard, Treasurer and Chief Financial Officer  
Joseph Igoe, Deputy General Counsel  
Rich Lee, Chief Engineer  
Jim Konstalid, Director of Maintenance & Operations  
Jen Givner, Director Media Relations  
Mary Boehm, Director, Audit Management Services  
Josh Klemm, Director, Chief Information Officer  
Andrew Trombley, Director of Procurement Services  
Erica Beardsley, Director, Office of Excellence  
Diana Neboilo, Director, Revenue Management  
Sean Lasher, Information Technology Specialist  
Peter Nilsson, Information Technology Specialist  
Tanya Morris, Board Secretary

Chair Mahoney called the meeting of the Thruway Authority Board to order.

Ms. Morris recorded the minutes as contained herein (public notice of the meeting had been given).

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### **PUBLIC COMMENT PERIOD RELATED TO THE MEETING AGENDA**

Chair Mahoney asked Ms. Morris if there were any public comments. Ms. Morris stated there were five comments made by Ed Day, Rockland County Executive, Glenna Chance, Sharon Kelly Bland, Kyle O'Grady & Lori which are included in our public records.

#### **Item 1 by Chair Mahoney (Appendix A)** **Approval of the Minutes of Meeting No 755**

Chair Mahoney asked for a motion to approve the minutes of the previous meeting.

Upon motion duly made and seconded, the Board approved the minutes of Meeting No. 755 held September 12, 2022, which was made available to the Board Members as part of the Agenda.

#### **Item 2 by Matt Howard (Appendix B)** **Financial Report– July, August & September 2022**

The Item was advanced to the Board at the recommendation of the Finance Committee.

Details of the presentation and discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board accepted the Financial Reports for July, August & September.

#### **Item 3 by Matt Howard (Appendix C)** **Approval of the 2022 Revised Budget and the 2023 Proposed Budget for the New York State Thruway Authority**

The Item was advanced to the Board at the recommendation of the Finance Committee.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting.

Upon motion duly made and seconded, the Board approved the Item and adopted the following resolution:

RESOLUTION NO. 6393

APPROVAL OF THE 2022 REVISED BUDGET AND  
THE 2023 PROPOSED BUDGET FOR THE NEW YORK STATE  
THRUWAY AUTHORITY AND ADOPTION OF A DECLARATION  
OF OFFICIAL INTENT TO ISSUE TAX-EXEMPT AND/OR  
TAXABLE OBLIGATIONS

RESOLVED, that the Report on the 2022 Revised Budget as presented in this item be, and the same hereby is, accepted by the Board, and be it further

RESOLVED, that the Chief Financial Officer be, and he hereby is, authorized to make any and all adjustments to the appropriate funds consistent with this 2022 Revised Budget, and be it further

RESOLVED, that the Chief Financial Officer be, and he hereby is, authorized to make any other adjustments based on actual results that are consistent with this projected plan, and report such actions to the Board, and be it further

RESOLVED, that the New York State Thruway Authority's (the "Authority") proposed Budget for the fiscal year 2023, submitted by the Executive Director and the Chief Financial Officer, be, and the same hereby is, approved and funded in accordance with the attached Exhibit II, and be it further

RESOLVED, that the Executive Director or his designee be, and he hereby is, authorized to make such expenditures as set forth in this Budget, subject to compliance with Authority policies and



procedures, and to make such internal adjustments and transfers within the Authority Budget as are necessary and proper, and to make any other adjustment with the concurrence of the Board, and be it further

RESOLVED, that a copy of the Budget approved herein, when printed in final form, be attached to these minutes and made a part thereof, and be submitted to the New York State entities in accordance with Section 2801 of the Public Authorities Law, and be it further

RESOLVED, that (1) the Authority hereby expresses its intention to issue tax-exempt and/or taxable obligations in one or more series in a maximum principal amount not to exceed \$1,500,000,000 (collectively, the “Bonds”) for the purpose of financing capital projects for the New York State Thruway sections and connections constituting roads or bridges as described in or contemplated by the Authority’s 2023-2027 Capital Program, including any facilities and equipment used for or in support thereof (collectively, the “Project”); this Declaration of Official Intent (the “Declaration”) shall constitute a declaration of the official intent on behalf of the Authority, under Section 1.150-2 of the Income Tax Regulations promulgated by the Department of the Treasury, to use proceeds of the Bonds to reimburse itself for certain acquisition, construction, equipping, planning, design, legal or other costs and

expenses originally paid by the Authority in connection with the Project with funds other than proceeds of the Bonds prior to the issuance of the Bonds (the "Advanced Funds"); (2) all of the expenditures initially made or to be made with the Advanced Funds and then to be reimbursed to the Authority from proceeds of the applicable series of Bonds will be for (a) costs of a type properly chargeable to the capital account of the Project under general income tax principles, (b) extraordinary, non-recurring working capital expenditures (of a type not customarily payable from current revenues) for which the Authority or a related party does not maintain a reserve for such items, or (c) costs of issuing the Bonds; (3) other than any preliminary expenditures for architectural, engineering, surveying, soil testing, costs of issuing the Bonds or similar purposes that may have been paid more than sixty days prior to the date of this Declaration, no expenditures to be reimbursed have been paid more than sixty days earlier than the date of this Declaration; and (4) the officers and employees of the Authority are hereby authorized to do all acts and things required of them by this Declaration for the full, punctual and complete performance of all the terms, covenants and agreements contained herein or necessary or convenient to the issuance of the Bonds as provided herein.

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

**Item 4 by Rich Lee (Appendix D)**  
**Approval of the 2023 Thruway Authority Contracts Program**

The Item was advanced to the Board at the recommendation of the Finance Committee.

Details of the presentation and discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board approved the Item and adopted the following resolution:

**RESOLUTION NO.6394**

**APPROVING THE 2023 THRUWAY CONTRACTS  
PROGRAM**

RESOLVED, that the 2023 Thruway Contracts Program for Highway, Bridge, Intelligent Transportation Systems, Architectural and related facility projects, full copies of which have been provided to the Board for review, be, and the same hereby are, approved, and be it further

RESOLVED, that the Chief Engineer or his designee be, and hereby is, authorized:

- A. to prepare and approve Official Proposals, Plans and Specifications, Engineer's/Architect's Estimates of Cost and Contract Documents for such projects as are tabulated in the 2023 Thruway Contracts Program;
- B. to hold the respective Engineer's/ Architect's Estimates of Cost for such contracts confidential until after contracts have been awarded;

C. to advertise for receipt of bids and proposals for those projects which are tabulated in the 2023 Thruway Contracts Program using the following table regarding the approved budget allocation and current funding for the project:

Amount of Engineer's/Architect's Estimates of Cost (EE/AE) in Relation to Contracts Program Budget Allocation Prior to Letting	Action Required to Advertise Project			
	Chief Engineer	Chief Financial Officer	Executive Director	Board
EE/AE is equal to or less than the project's budget allocation;	Approval	No Action Required	No Action Required	No Action Required
EE/AE exceeds the Contracts Program Budget Allocation by no more than 40 percent on contracts up to and including \$5,000,000	Concur	Confirm Funding	Approval	No Action Required
EE/AE exceeds the Contracts Program Budget Allocation by no more than 25 percent on contracts over \$5,000,000 and up to and including \$10,000,000;	Concur	Confirm Funding	Approval	No Action Required
EE/AE exceeds the Contracts Program Budget Allocation by no more than 20 percent on contracts over \$10,000,000;	Concur	Confirm Funding	Approval	No Action Required
EE/AE exceeds the limits listed above in this chart.	Concur	Confirm Funding	Concur	Approval

D. to award any such contract to the lowest responsible bidder when it is deemed to be an acceptable bid, and further, the following table shall be used when determining the steps needed to award the contract:

Amount of the Low Bid in Relation to Contracts Program Budget Allocation	Action Required to Award Contract			
	Chief Engineer	Chief Financial Officer	Executive Director	Board
Low bid is equal to or less than the ; Contracts Program Budget Allocation	Approval	No Action Required	No Action Required	No Action Required
Low bid exceeds the Contracts Program Budget Allocation by no more than 40 percent on contracts up to and including \$5,000,000	Concur	Confirm Funding	Approval	No Action Required
Low bid exceeds the Contracts Program Budget Allocation by no more than 25 percent on contracts over \$5,000,000 and up to and including \$10,000,000;	Concur	Confirm Funding	Approval	No Action Required
Low bid exceeds the Contracts Program Budget Allocation by no more than 20 percent on contracts over \$10,000,000;	Concur	Confirm Funding	Approval	No Action Required
Low bid exceeds the limits listed above in this chart.	Concur	Confirm Funding	Concur	Approval

E. to award any such best value and design-build contracts to the firm with the best combined technical and cost score, and further, the following table shall be used when determining the steps to award the contract:

Amount of the Cost in the Best Value/Design-Build Proposal in Relation to Contracts Program Budget Allocation	Action Required to Award Contract			
	Chief Engineer	Chief Financial Officer	Executive Director	Board
Low bid is equal to or less than the Contracts Program Budget Allocation;	Approval	No Action Required	No Action Required	No Action Required
Low bid exceeds the Contracts Program Budget Allocation by no more than 40 percent on contracts up to and including \$5,000,000	Concur	Confirm Funding	Approval	No Action Required
Low bid exceeds the Contracts Program Budget Allocation by no more than 25 percent on contracts over \$5,000,000 and up to and including \$10,000,000;	Concur	Confirm Funding	Approval	No Action Required
Low bid exceeds the Contracts Program Budget Allocation by no more than 20 percent on contracts over \$10,000,000;	Concur	Confirm Funding	Approval	No Action Required
Low bid exceeds the limits listed above in this chart.	Concur	Confirm Funding	Concur	Approval

F. to reject bids for any such contract which are determined to be not in accordance with bid documents and specifications thereof, or not in the Authority's best interest, or which are submitted by bidders determined to be not responsible. In these cases, and where no bids are received, he may again advertise for receipt of bids pursuant to paragraph C;

- G. to prepare and approve, for declared emergency work, Official Proposals, Plans and Specifications, Engineer's/Architect's Estimates of Cost and Contract Documents, including amendments and order-on-contracts, award (pursuant to paragraph D) and reject bids (pursuant to paragraph F) for such work being progressed to address a declared emergency, provided that the total of the Engineer's/Architect's Estimate of Cost for any such contract, amendment or order-on-contract does not exceed \$2,000,000; the Board will receive contemporaneous notifications of those actions taken for emergency work;
- H. to approve contingent or extra work on construction and design-build contracts, when necessary, and to adjust and determine disputed contract claims in accordance with contract documents, using the following table for the additional funding:

Amount of the Additional Funds for Construction and Design-Build Contracts in Relation to Contracts Program Budget Allocation	Action Required for Additional Funding for Construction Contract			
	Chief Engineer	Chief Financial Officer	Executive Director	Board
Additional Funds exceed the Contracts Program Budget Allocation by no more than 40 percent on contracts up to and including \$5,000,000	Concur	Confirm Funding	Approval	No Action Required
Additional Funds exceed the Contracts Program Budget Allocation by no more than 25 percent on contracts over \$5,000,000 and up to and including \$10,000,000;	Concur	Confirm Funding	Approval	No Action Required
Additional Funds exceed the Contracts Program Budget Allocation by no more than 20 percent on contracts over \$10,000,000;	Concur	Confirm Funding	Approval	No Action Required
Low bid exceeds the limits listed above in this chart.	Concur	Confirm Funding	Concur	Approval

- I. to enter into, extend, and modify project specific agreements or multi-project agreements with federal and state agencies, localities, utility companies, railroads, and/or others as may be necessary in order to facilitate the administration, award, progress and completion of such contracts;
- J. to acquire such real property interests (fee title,



easements, etc.) in accordance with the provisions of the Authority's Real Property Management Policy, as may be necessary for implementation of the 2023 Thruway Contracts Program, provided that the total amount of acquisitions shall not exceed \$1,000,000 without Board authorization;

- K. to advertise for, and upon receiving approval by the Board, or where otherwise authorized by the Executive Director, to execute engineering agreements, including amendments thereto, for services relating to projects included in the 2023 Thruway Contracts Program;
- L. to execute a supplemental agreement for expenditure of additional funds of an engineering agreement, provided that such supplemental agreement be based upon a determination that the assignment of the additional tasks is in the best interest of the Authority when considering the proximity of the additional tasks to the ongoing tasks, or to expedite the additional tasks through such assignment, or that significant savings to the Authority will result through the assignment of the additional tasks; and further, such approval of additional funds shall be based upon the following table:

Amount of the Additional Funds for Supplemental Agreements in Relation to Contracts Program Budget Allocation	Action Required for Supplemental Agreement Funding			
	Chief Engineer	Chief Financial Officer	Executive Director	Board
Additional funds do not exceed the Board-approved Maximum Amount Payable (MAP) by more than 40% for agreements with a Board-approved MAP up to and including \$5,000,000, or 25 percent for agreements with a Board-approved MAP that is over \$5,000,000 and up to and including \$10,000,000;	Concur	Confirm Funding	Approval	No Action Required
Additional funds do not exceed the Board-approved MAP by more 20 percent for agreements with a Board-approved MAP that exceeds \$10,000,000;	Concur	Confirm Funding	Approval	No Action Required
Additional funds exceed the limits listed above in this chart.	Concur	Confirm Funding	Concur	Approval

M. To exercise all powers reserved to the Authority under the provisions of any contracts or agreements executed pursuant to these items, manage, and administer any such contracts or agreements amend the provisions of any such contracts or agreements consistent with the terms of this item and in accordance with other applicable Board authorizations, and suspend or terminate any such contracts or agreements in the best interests of the Authority, and be it further

RESOLVED, that any powers granted to the Executive Director or designee by the Board to approve expenditures or to increase expenditures for contracts and agreements shall be in addition to those powers granted under these resolutions and any action taken pursuant thereto shall be deemed to be authorized under this resolution, and be it further

RESOLVED, that in accordance with the other powers delegated herein, the Chief Engineer or designee shall be, and hereby is, authorized to make all necessary decisions pursuant to the State Environmental Quality Review Act (SEQRA) with relation to the 2023 Thruway Contracts Program, and be it further

RESOLVED, that quarterly reports shall be submitted to the Board by the Chief Engineer on all awarded construction contracts; approved additional funds for construction contracts over and above the contingency funds; and all engineering agreements and supplemental engineering agreements, approved pursuant to the provisions of these resolutions, and be it further

RESOLVED, that the Chief Financial Officer or designee be, and he hereby is, authorized:

- A. upon award of such contracts to return such funds budgeted for such projects in the 2023 Budget which are

otherwise not required for expenditure during 2023 to the proper fund in accordance with acceptable budgeting and accounting procedures;

- B. to monitor total cash expenditures for the 2023 Contracts Program to ensure that they do not exceed \$353,442,143. for the Thruway Authority during the 2023 Fiscal Year;
- C. to return bid checks submitted for such contracts to unsuccessful bidders, and to make necessary adjustments in the respective 2023 approved Budget as required by implementation of any part of this Resolution;
- D. to consummate transfers of jurisdiction of real property with other State agencies or authorities, and to dispose of real property interests (fee title, easements, etc.) in accordance with the provisions of the Authority's Real Property Management Policy, as may be necessary for implementation of the 2023 Thruway Contracts Program; and be it further

RESOLVED, that the provisions of this resolution shall be deemed to supersede all other inconsistent Authority policies and procedures to the extent necessary to implement the approved 2023

Thruway Contracts Program and for no other purposes,  
and be it further

RESOLVED, that these resolutions be  
incorporated in the minutes of this meeting.

**Item 5 by Matt Howard (Appendix E)**  
**Authorizing the Executive Director to Proceed with Necessary Actions to Implement**  
**Toll Rate Adjustments**

The Item was advanced to the Board at the recommendation of the Finance Committee.

Details of the presentation and discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board approved the Item and adopted the following resolution:

**RESOLUTION NO. 6395**

AUTHORIZING THE EXECUTIVE DIRECTOR TO  
PROCEED WITH NECESSARY PREPARATORY ACTIONS  
TO IMPLEMENT TOLL RATE ADJUSTMENTS  
NECESSARY FOR SUFFICIENT NET REVENUE TO  
FINANCE THE AUTHORITY'S CAPITAL PROGRAM AND  
TO COMPLY WITH 2 NYCRR PART 203, THE GENERAL  
REVENUE BOND RESOLUTION AND THE  
AUTHORITY'S FISCAL MANAGEMENT GUIDELINES

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RESOLVED, that under the New York State Public  
Authorities Law, the Authority has the definitive and unfettered  
ability to independently fix and collect fees for use of the  
Thruway system, as it deems necessary, to produce sufficient  
revenues to cover expenses and fulfill obligations to its  
bondholders; and be it further

RESOLVED, that under New York State and Federal law, the State of New York has expressly pledged to Authority bondholders that it will not limit or alter the rights vested in the Authority to fix and collect fees for use of the Thruway system; and be it further

RESOLVED, that the Executive Director, or his designee, be, and hereby is, authorized to take all actions necessary to prepare for the implementation of the toll adjustments consistent with this Board item and Exhibits 1 and 2 attached hereto and that such actions shall conform with the General Revenue Bond Resolution and the applicable statutory procedures outlined in the Public Authorities Law, the Executive Law, the State Administrative Procedure Act, and the State Environmental Quality Review Act; and be it further

RESOLVED, that the financial documents satisfying the financial reporting requirements of the Public Authorities Law Section 2804, attached hereto as Exhibit 1 and Exhibit 2, be, and hereby are, approved; and be it further

RESOLVED, that after the necessary actions have been taken, the Executive Director shall present a recommendation to the Board regarding a specific schedule for the toll adjustments, consistent with this Board Item and Exhibit 1 and Exhibit 2, necessary to meet the requirements of 2 NYCRR

Part 203, the General Revenue Bond Resolution, the Authority's Fiscal Management Guidelines and determining the environmental significance of any such actions; and be it further

RESOLVED, that the recommendation regarding the environmental significance of this action authorizing the Executive Director to perform and distribute studies, conduct preliminary planning and hearings and file the documents necessary to formulate a proposal for action be, and hereby is, approved; and be it further

RESOLVED, that this Resolution be incorporated in full in the minutes of the meeting.

**Item 6 by Matt Howard (Appendix F)**

**Approval of the Authority's Investment Transactions – Third Quarter 2022**

The Item was advanced to the Board at the recommendation of the Finance Committee.

Details of the presentation and discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board accepted the Authority's Investment Transactions – Third Quarter 2022.

**Item 7 by Andrew Trombley (Appendix G)**

**Approving the Revised Procurement Contracts Policy (No. 25-5-01)**

The Item was advanced to the Board at the recommendation of the Governance Committee.

Details of the presentation and discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board approved the Item and adopted the following resolution:

RESOLUTION NO. 6396

APPROVING THE REVISED PROCUREMENT CONTRACTS  
POLICY (25-5-01)

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RESOLVED, that the revisions proposed to be made to the current Procurement Contracts Policy (25-5-01), as described in this agenda item, and as contained in Exhibit 1, be, and the same hereby are, approved, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

**Item 8 by Jim Konstalid (Appendix H)**  
**Authorizing the Waiver of Competitive Procedures for a Sole Source Contract with Daktronics, Inc. for Spare Parts/Depot Repair for Electronic Signs**

Mr. Konstalid presented the resolution to Authorize the Waiver of Competitive Procedures for a Sole Source Contract with Daktronics, Inc.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board Authorized the Waiver of Competitive Procedures for a Sole Source Contract with Daktronics, Inc. and adopted the following resolution:

RESOLUTION NO. 6397

AUTHORIZING THE WAIVER OF COMPETITIVE  
PROCEDURES FOR A SOLE SOURCE CONTRACT WITH  
DAKTRONICS, INC. FOR SPARE PARTS/DEPOT REPAIR FOR  
ELECTRONIC SIGNS

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RESOLVED, that the competitive procedures required by the Thruway Authority Procurement Contracts Policy are waived and the Executive Director or his designee be, and hereby is, authorized to



execute an agreement with Daktronics, Inc. for spare parts/depot repair of license plate reading systems; and be it further

RESOLVED, that the Agreement shall be for a term through December 31, 2027, for a maximum amount payable of \$570,000.00; and be it further

RESOLVED, that the Agreement shall be on such other terms and conditions as the Executive Director, in consultation with the Department of Maintenance and Operations and General Counsel, determines to be in the best interests of the Authority; and be it further

RESOLVED, that the Executive Director or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the Agreement, to manage and administer the Agreement, amend provisions of the Agreement consistent with the terms of this item and other Board authorizations and suspend or terminate the Agreement in the best interests of the Authority; and be it further

RESOLVED, that the Chief Financial Officer be, and hereby is, authorized to charge expenditures for services rendered under such Agreement to the appropriate funds provided therefore, subject to reallocation and adjustment as determined by final audit of charges; and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

**Item 9 by Jim Konstalid (Appendix I)**

**Authorizing the Executive Director to Execute a Contract with CPR & Safety Consulting and Training, LLC. DBA Compliance Training for the Chainsaw Safety Training**

Mr. Konstalid presented the resolution to Authorize the Executive Director to Execute a Contract with CPR & Safety Consulting and Training, LLC. DBA Compliance Training for the Chainsaw Safety Training.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board authorized the Executive Director to Execute a Contract with CPR & Safety Consulting and Training, LLC. DBA Compliance Training for the Chainsaw Safety Training and adopted the following resolution:

**RESOLUTION NO. 6398**

**AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A  
CONTRACT WITH CPR & SAFETY CONSULTING AND  
TRAINING, LLC. DBA COMPLIANCE TRAINING FOR THE  
CHAINSAW SAFETY TRAINING**

RESOLVED, that the Executive Director or his designee be, and hereby is, authorized to execute an agreement with CPR & Safety Consulting and Training, LLC. DBA Compliance Training to provide Chainsaw Safety Training for Authority employees; and be it further

RESOLVED, that the Agreement shall be for a term of three years with two one-year renewals, for a maximum amount payable of approximately \$173,430.00; and be it further

RESOLVED, that the Agreement shall be on such other terms and conditions as the Executive Director, in consultation with the Department of Maintenance and Operations and General Counsel, determines to be in the best interests of the Authority; and be it further

RESOLVED, that the Executive Director or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the Agreement, to manage and administer the Agreement, amend provisions of the Agreement consistent with the terms of this item and other Board authorizations and suspend or terminate the Agreement in the best interests of the Authority; and be it further

RESOLVED, that the Chief Financial Officer be, and hereby is, authorized to charge expenditures for services rendered under such Agreement to the appropriate funds provided therefore, subject to reallocation and adjustment as determined by final audit of charges; and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

**Item 10 by Jim Konstalid (Appendix J)**

**Authorization of a Two-Year Extension to the Multi-Year Extension Agreement Between the New York State Thruway Authority and TRANSCOM, Inc. for the Years 2024-2025**

Mr. Konstalid presented the resolution for Authorizing a Two-Year Extension to the Multi-Year Extension Agreement Between the New York State Thruway Authority and TRANSCOM, Inc. for the Years 2024-2025.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board authorized the Two-year Extension to the Multi-Year Extension Agreement between the New York State Thruway Authority and Transcom Inc. and adopted the following resolution:

RESOLUTION NO. 6399

AUTHORIZATION OF A TWO-YEAR EXTENSION TO THE  
MULTI-YEAR AGREEMENT BETWEEN THE NEW YORK  
STATE THRUWAY AUTHORITY AND TRANSCOM, INC. FOR  
THE YEARS 2024-2025

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RESOLVED, that the Executive Director be, and hereby is, authorized to executive an extension to the Multi-Year Agreement for membership in TRANSCOM, Inc. for the years 2024-2025; and be it further

RESOLVED, that the Executive Director be, and hereby is, authorized to approve and execute such future ministerial amendments and additions to the extension to the TRANSCOM Multi-Year Agreement that may be approved by the TRANSCOM Board of Trustees and which the Executive Director deems to be in the best interests of the Thruway Authority; and be it further

RESOLVED, that the Executive Director be, and hereby is, authorized to expend, in consultation with the Chief Financial Officer, an amount not to exceed \$350,000 for the two-year extension 2024-2025; and be it further

RESOLVED, that the Board will annually review its continued membership and funding for TRANSCOM as part of the Budget approval process; and be it further

RESOLVED, that this resolution be incorporated in full in the minutes of this meeting.

**Item 11 by Diana Neboilo (Appendix K)**

**Authorizing the Executive Director to Execute a Fourth Amendment to Agreement (C010078) with Kapsch TrafficCom USA Inc.**

Ms. Neboilo presented the resolution for Authorizing the Executive Director to Execute a Fourth Amendment to Agreement (C010078) with Kapsch TrafficCom USA Inc.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board authorized the Fourth Amendment to Agreement (C010078) with Kapsch TrafficCom USA Inc. and adopted the following resolution:

**RESOLUTION NO. 6400**

**AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A  
FOURTH AMENDMENT TO AGREEMENT C010078 WITH  
KAPSCH TRAFFICCOM USA INC. FOR E-ZPASS  
TRANSPONDERS AND EQUIPMENT**

RESOLVED, that the Executive Director be, and he hereby is, authorized to execute a Fourth Amendment to Agreement C010078 with Kapsch TrafficCom USA Inc. ("Agreement"), to ensure that the Authority has access to E-ZPass tags, readers and other equipment integral to the E-ZPass system; and be it further

RESOLVED, that such Second Amendment shall increase the monetary cap by \$5,000,000 to \$73,600,000 and shall be on such other terms and conditions as the Executive Director in consultation with the General Counsel and Director of Revenue Management, determines to be in the best interests of the Authority; and be it further

RESOLVED, that the Authority's Chief Financial Officer be, and hereby is, authorized to charge expenditures for goods and services provided pursuant to such Agreement to the appropriate funds; and be it further

RESOLVED, that the Executive Director or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the Agreement, manage and administer the Agreement, amend the provisions of the Agreement consistent with the terms of this item and other Board authorizations and suspend or terminate the Agreement in the best interests of the Authority; and be it further

RESOLVED, that this resolution be incorporated in full in the minutes of this meeting.

**Item 12 by Frank Hoare(Appendix L)**

**Authorizing the Executive Director to Execute an Agreement with Blackburn Group, Inc. for Mandatory Medicare Reporting Services**

Mr. Hoare presented the resolution for Authorizing the Executive Director to Execute an Agreement with Blackburn Group, Inc. for Mandatory Medicare Reporting Services.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board authorized the Agreement with Blackburn Group Inc. and adopted the following resolution:

**RESOLUTION NO. 6401**

**AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE  
AN AGREEMENT WITH BLACKBURN GROUP, INC. FOR  
MANDATORY MEDICARE REPORTING SERVICES**

---

RESOLVED, that the Executive Director, or his designee be, and he hereby is, authorized to execute an agreement with Blackburn Group, Inc. to provide mandatory Medicare reporting services to the Authority, and be it further

RESOLVED, that such agreement shall have a maximum amount payable of \$35,000 and shall be for a term of five (5) years commencing on January 1, 2023 and shall be on such other terms and conditions that the Executive Director, in consultation with the General Counsel, determines to be in the best interests of the Authority, and be it further

RESOLVED, that the Executive Director or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this item and other Board authorizations, and suspend or terminate the agreement in the best interests of the Authority, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

**Item 13 by Frank Hoare (Appendix M) Declaring Partial Jurisdiction Over Title, Real Property Reference No. TB22-1 Located in the Town of Hamburg and County of Erie, as Not Necessary for the Authority's Corporate Purposes; and Consenting to the Transfer of Such Partial Jurisdiction to the New York State Department of Transportation**

Mr. Hoare presented the resolution for Real Property Reference No. TB22-1 Authorizing its Consent to Transfer Such Partial Jurisdiction to the New York State Department of Transportation.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, Real Property Reference No. TB22-1 and adopted the following resolution:

RESOLUTION NO. 6402

DECLARING PARTIAL JURISDICTION OVER TITLE TO REAL PROPERTY REFERENCE NO. TB22-1, LOCATED IN THE TOWN OF HAMBURG AND COUNTY OF ERIE, AS NOT NECESSARY FOR THE AUTHORITY'S CORPORATE PURPOSES; AND CONSENTING TO THE TRANSFER OF SUCH PARTIAL JURISDICTION TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

---

RESOLVED, that partial jurisdiction over title in and to certain real property designated as Real Property Reference No. TB22-1 (hereinafter, "Subject Property") and shown on, and described in Exhibit I attached hereto and made a part hereof, is hereby found to be not necessary for the Authority's corporate purposes; and be it further

RESOLVED, that, pursuant to New York Public Lands Law § 3, subd. 4, and without any monetary consideration to be given by any party to the other, a transfer of partial jurisdiction over title in and to Real Property Reference No. TB22-1 (hereinafter, "TJ") from the Authority to the New York State Department of Transportation (hereinafter, "NYSDOT") be, and the same hereby is, authorized; and be it further

RESOLVED, that the partial TJ to NYSDOT shall be subject to the provisions of a mutually acceptable interagency agreement between the Authority and NYSDOT (hereinafter, "Agreement"), as



described in this agenda item, to be executed by and between the parties that will address responsibilities and accommodation related to maintenance, access and other various issues with respect to of joint jurisdiction over the Subject Property if necessary; and be it further

RESOLVED, that the partial TJ and Agreement, if any, shall be subject to such other legal, financial, operational, engineering requirements and other provisions as may be deemed by the Executive Director, Chief Engineer, Chief Financial Officer, Director of Maintenance and Operations and General Counsel, to be in the best interest of the Authority and consistent with the terms of this agenda item; and be it further

RESOLVED, that the Executive Director, Chief Engineer, Chief Financial Officer, Director of Maintenance and Operations and General Counsel be, and the same hereby are, authorized to take all steps necessary to implement this board action; and be it further

RESOLVED, that the Executive Director, or his designee, be, and he hereby is, authorized to execute the Agreement and all other documents necessary to consummate the partial TJ; and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

**Item 14 by Frank Hoare (Appendix N) Declaring Partial Jurisdiction Over Title to Real Property Reference No. TB22-2 Located in the City of Buffalo and County of Erie, as Not Necessary for the Authority's Corporate Purposes; and Consenting to the Transfer of Such Jurisdiction to the New York State Department of Transportation**

Mr. Hoare presented the resolution for Real Property Reference No. TB22-2 Consenting to the Transfer of Such Jurisdiction to the New York State Department of Transportation.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board authorized to Transfer Real Property TB22-2 to the Transfer of Such Jurisdiction to the New York State Department of Transportation and adopted the following resolution:

**RESOLUTION NO. 6403**

DECLARING PARTIAL JURISDICTION OVER TITLE TO REAL PROPERTY REFERENCE NO. TB22-2, LOCATED IN THE CITY OF BUFFALO AND COUNTY OF ERIE, AS NOT NECESSARY FOR THE AUTHORITY'S CORPORATE PURPOSES; AND CONSENTING TO THE TRANSFER OF SUCH JURISDICTION TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

---

RESOLVED, that partial jurisdiction over title in and to certain real property designated as Real Property Reference No. TB22-2 (hereinafter, "Subject Property") and shown on, and described in Exhibits I and II attached hereto and made a part hereof, is hereby found to be not necessary for the Authority's corporate purposes, and be it further

RESOLVED, that, pursuant to New York Public Lands Law § 3, subd. 4, and without any monetary consideration to be given by any party to the other, a transfer of partial jurisdiction (hereinafter, "TJ") over title in and to Real Property Reference No. TB22-2 from the Authority to the

New York State Department of Transportation (hereinafter, “NYSDOT”) be, and the same hereby is, authorized and be it further

RESOLVED, that the Executive Director or his designee is authorized to execute the partial TJ and any documentation necessary or convenient to consummate the partial TJ; and be it further

RESOLVED, that the Executive Director or his designee be authorized to execute an agreement with NYSDOT to address responsibilities related to maintenance, access and other various issues with respect to the joint jurisdiction over the Subject Property; and be it further

RESOLVED, that the partial TJ and agreement shall be subject to such other legal, financial, operational, engineering and other provisions as may be deemed by the Executive Director, Chief Engineer, Chief Financial Officer, Director of Maintenance and Operations and General Counsel, to be in the best interest of the Authority and consistent with the terms of this agenda item, and be it further

RESOLVED, that the Executive Director, Chief Engineer, Chief Financial Officer, Director of Maintenance and Operations and General Counsel be, and the same hereby

are, authorized to take all steps necessary to implement this  
board action, and be it further

RESOLVED, that this resolution be incorporated in the  
minutes of this meeting.

**Item 15 by Frank Hoare (Appendix 0)**

**Declaring Real Property Reference No. TS21-1, Located in the Village of Canastota, Town of  
Lenox, and County of Madison as Not Necessary for the Authority's Corporate Purposes and  
Authorizing the Sale Thereof**

Mr. Hoare presented the resolution for Real Property Reference No TS21-1, Located in the Village  
of Canastota, Town of Lenox and County of Madison as Not Necessary for the Authority's  
Corporate Purposes and Authorizing the Sale Thereof.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board authorized Real Property Reference No. TS21-1,  
in the Village of Canastota Sale and adopted the following resolution:

**RESOLUTION NO. 6404**

DECLARING REAL PROPERTY REFERENCE NO. TS21-1,  
LOCATED IN THE VILLAGE OF CANASTOTA, TOWN OF  
LENOX, COUNTY OF MADISON, AS NOT NECESSARY FOR  
THE AUTHORITY'S CORPORATE PURPOSES AND  
AUTHORIZING THE SALE THEREOF

---

RESOLVED, that the Board hereby finds, determines, and  
declares that all remaining right, title and interest in and to Real  
Property Reference No. TS21-1 (hereinafter, "Subject Property"), as  
shown and delineated on Exhibits I and II, attached hereto and made a  
part hereof, are not necessary for the Authority's corporate purposes  
and, therefore, available for disposal, and be it further

RESOLVED, that the Subject Property be, and the same hereby is, authorized for conveyance to Madison County Industrial Development Agency (hereinafter, "Applicant") pursuant to, and in accordance with, legislation adopted by New York State Legislature and signed by the Governor ("Legislation"), as shown in Exhibit III, and be it further

RESOLVED, that such conveyance of the Subject Property to the Applicant be predicated upon Applicant's payment of consideration in the amount of \$1 payment waived, and be it further

RESOLVED, that the Executive Director, or his designee, be, and the same hereby is, authorized to execute an agreement for the sale of the Subject Property with the Applicant on the terms and conditions specified herein, and in the Legislation, and other terms and conditions deemed by General Counsel to be in the Authority's best interest, and to take all necessary actions necessary to convey the Subject Property, and be it further

RESOLVED, that the recommendation regarding the environmental significance of this Board action pursuant to the State Environmental Quality Review Act (hereinafter, "SEQRA"), be, and the same hereby is, approved, and be it further

RESOLVED, that the Chief Engineer, or his designee, be, and the same hereby is, authorized to execute the SEQRA Short Environmental Assessment Form and SEQRA Negative Declaration,

and to distribute any required documents on behalf of the Board relative to such adoption, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

**Item 16 by Frank Hoare (Appendix P) Declaring Real Property Reference No. TN21-4, Located in the City of New Rochelle and County of Westchester, as Not Necessary for Authority Corporate Purposes and Authorizing the Auction Thereof**

Mr. Hoare presented the Real Property Reference No. TN21-4 Located in the City of New Rochelle and County of Westchester.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, Board Authorized Real Property Reference No. TN21-4. and adopted the following resolution:

**RESOLUTION NO. 6405**

DECLARING REAL PROPERTY REFERENCE NO. TN21-4,  
LOCATED IN THE TOWN OF NEW ROCHELLE AND COUNTY  
OF WESTCHESTER, AS NOT NECESSARY FOR THE  
AUTHORITY'S CORPORATE PURPOSES AND AUTHORIZING  
THE AUCTION THEREOF

---

RESOLVED, that the Board hereby finds, determines and declares that all remaining right, title and interest in and to Real Property Reference No. TN21-4 (hereinafter, "Subject Property"), as shown and delineated on Exhibits I and II attached hereto and made a part hereof, is not necessary for the Authority's corporate purposes and, therefore, available for auction; and be it further

RESOLVED, that the Office of Real Property Management is authorized to conduct a public auction (hereinafter, "Auction") of the

Property at a minimum-bid amount of \$72,000 (hereinafter, “Minimum Bid”); and be it further

RESOLVED, that the Executive Director be, and the same hereby is, authorized to accept the highest responsive bid that meets or exceeds the Minimum Bid, to memorialize such acceptance via the execution of an agreement for the sale of real property with the highest bidder on terms and conditions deemed by General Counsel to be in the Authority’s best interest, and to convey the Subject Property to such highest responsive bidder; and be it further

RESOLVED, that the Chief Engineer, or his designee, be and the same hereby is, authorized to execute the SEQRA Short Environmental Assessment form and SEQRA Negative Declaration, and to distribute any required documents on behalf of the Board relative to such adoption; and be it further

RESOLVED, that the Executive Director, Chief Engineer, Chief Operating and Financial Officer, and General Counsel be, and the same hereby are, authorized to take all steps necessary to implement this Board action; and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

**Item 17 by Josh Klemm (Appendix Q) Authorizing an Agreement with MCI Communications Services LLC for the Use of the New York State Thruway Authority’s Fiber Optic System**

Mr. Klemm presented the resolution for Authorizing an Agreement with MCI Communications Services LLC for the use of the New York State Thruway Authority’s Fiber Optic System.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board Authorized the Agreement with MCI Communications Services and adopted the following resolution:

RESOLUTION NO. 6406

AUTHORIZING AN AGREEMENT WITH MCI  
COMMUNICATIONS SYSTEMS LLC FOR THE USE OF THE  
NEW YORK STATE THRUWAY AUTHORITY'S FIBER OPTIC  
SYSTEM

---

RESOLVED, that agreement with MCI Communications Services LLC set forth in this agenda item for the use and maintenance of the Authority's fiber optic system ("System") on the terms and conditions contained in the agenda item and such other terms as are deemed to be in the best interest of the Authority by the Chief Information Officer, the General Counsel and the Chief Financial Officer, be, and hereby are, authorized, and be it further

RESOLVED, that the Executive Director or his designee be, and hereby is, authorized to execute such agreement and any associated documentation; and be it further

RESOLVED, that the Executive Director or his designee, shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this item and other Board authorizations and suspend or terminate the agreement in the best interests of the Authority; and be it further



RESOLVED, that the Chief Information Officer (“CIO”) or his designee shall be, and hereby are, authorized to undertake review and make all necessary decisions pursuant to the State Environmental Quality Review Act (“SEQRA”) with relation to activities necessary to support the agreement and any future agreements relative to any use of the System, and is authorized to execute the SEQRA documentation and to publish and distribute any required documents; and be it further

RESOLVED, that this resolution be incorporated in full in the minutes of this meeting.

**Item 18 by Rich Lee (Appendix R) - Authorizing the Execution of Agreement D214908; with Henningson, Durham & Richardson, Architecture and Engineering P.C. (HDR)**

Mr. Lee presented the resolution for D214908 Agreement with Hennigson, Durham & Richardson, Architecture and Engineering P.C.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board Authorized D214908 Agreement with Henningson, Durham & Richardson, Architecture and Engineering P.C. (HDR) and adopted the following resolution:

**RESOLUTION NO. 6407**

**AUTHORIZING THE EXECUTION OF AGREEMENT  
D214908 WITH HENNINGSON, DURHAM &  
RICHARDSON, ARCHITECTURE AND ENGINEERING  
P.C**

---

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement (D214908) with Henningson, Durham & Richardson, Architecture and Engineering P.C, as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2023 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

**Item 19 by Rich Lee (Appendix S) - Authorizing Additional Funding for TA 22-30/ D214899, Albany & Syracuse Divisions; Pavement Striping at Various Locations**

Mr. Lee presented the resolution for Authorizing Additional Funding for TA 22-30/D214899, Albany & Syracuse Divisions.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board Authorized Additional Funding for TA 22-30/D214899 and adopted the following resolution:

**RESOLUTION NO. 6408**

**AUTHORIZING ADDITIONAL FUNDING FOR TA 22-30/  
D214899, ALBANY & SYRACUSE DIVISIONS; PAVEMENT  
STRIPING AT VARIOUS LOCATIONS**

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RESOLVED, that an additional \$271,069.50 (revising the total contract value to \$1,096,069.50.) for TA 20-30/D214899, Albany & Syracuse Divisions; Pavement Striping at Various Locations be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TAA 22-30/D214899 from project deferments and bid savings from the 2023 Contracts Program, and be it further

RESOLVED, that the Chief Engineer or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the contract, manage and administer the contract, amend the provisions of the contract consistent with the terms of this Item and other Board authorizations and suspend or terminate the contract in the best interests of the Authority, and be it further

RESOLVED, that this resolution be incorporated in the minutes  
of this meeting.

**Item 20 by Rich Lee (Appendix T) - Authorizing Additional Funding for TA 22-32/ D214901,  
Installation of pavement markings at various locations in the Buffalo Division of the New  
York State Thruway in Erie and Chautauqua counties**

Mr. Lee presented the resolution for Authorizing Additional Funding for TA 22-32/ D214901, Installation of pavement markings at various locations in the Buffalo Division of the New York State Thruway in Erie and Chautauqua counties.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board Authorized Additional Funding for TA 22-32/ D214901 and adopted the following resolution:

**RESOLUTION NO. 6409**

**AUTHORIZING ADDITIONAL FUNDING FOR TA 22-32/ D214901  
INSTALLATION OF PAVEMENT MARKINGS AT VARIOUS LOCATIONS  
IN THE BUFFALO DIVISION OF THE NEW YORK STATE THRUWAY IN  
ERIE AND CHAUTAUQUA COUNTIES**

---

RESOLVED, that an additional \$238,196.74 (revising the total contract value to \$1,363,196.74) for TA 20-32/D214901, Installation of pavement markings at various locations in the Buffalo Division of the New York State Thruway in Erie and Chautauqua counties be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TA 22-32/D214901 from project deferments and bid savings from the 2023 Contracts Program, and be it further

RESOLVED, that the Chief Engineer or his designee shall have the authority to exercise all powers reserved to the Authority

under the provisions of the contract, manage and administer the contract, amend the provisions of the contract consistent with the terms of this Item and other Board authorizations and suspend or terminate the contract in the best interests of the Authority, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.

#### **Item 21 by Chair Mahoney – Proposed 2023 Board Meeting Dates**

Chair Mahoney presented the Proposed 2023 Board Meeting Dates to the Board.

Upon motion duly made and seconded, without any objections, the Board accepted the Proposed 2023 Board Meeting Dates.

Jan 23, 2023

March 27, 2023

May 22, 2023

September 18, 2023

November 13, 2023

#### **Report to the Board – Executive Director Matthew J. Driscoll**

Executive Director Driscoll discussed his upcoming retirement. The Director thanked the Board Members, Department Heads and staff for all there help and appreciation.

Chair Mahoney recognized the Executive Director for all his State Service and a great job he did at the Thruway.

#### **GENERAL PUBLIC COMMENT PERIOD**

Chair Mahoney asked Ms. Morris if there was any public comment regarding the Board Meeting and Ms. Morris said yes comments were made by Maury Bodin. Ms. Morris read the comments. Maury Bodin comments will be included with Transcript.

## **ADJOURNMENT**

There being no other business, upon motion duly made and seconded, the board voted to adjourn the meeting at 12:40 p.m.

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Tanya M. Morris  
Board Secretary

Meeting No.	757
Item	2
Appendix	B

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Matthew A. Howard  
Chief Financial Officer

SUBJECT: Financial Report – October, November, and December 2022

The Chief Financial Officer is formally submitting a copy of the Financial Report for the months of October, November, and December 2022.

The Finance Committee considered this item at its March 27, 2023 meeting and recommended that this item be presented to the full Board for consideration.

SUBMISSION:

This report is submitted for inclusion as part of the official records for this meeting.



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Chief Financial Officer

APPROVED:



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Interim Executive Director

**Please refer to Item 2 in the  
Finance Committee Meeting  
Book**



Meeting No. 757  
Item 3  
Appendix C  
Page

TO: The Thruway Authority Board  
FROM: Matthew A. Howard  
Chief Financial Officer

DATE: March 27, 2023

SUBJECT: Investment Transactions – Fourth Quarter Investments 2022

The Chief Financial Officer or designated representative has engaged in numerous financial transactions investing funds not immediately required for the fiscal management of the New York State Thruway Authority or for the Local Highway and Bridge Service Contract Bond Program, Second General Highway and Bridge Trust Fund Bond Program, or the State Personal Income Tax Revenue Bond Program. These transactions include the purchase of authorized securities, repurchase agreements and certificates of deposit.

The attached Exhibit A presents the details of all investments purchased during the Quarter ending December 31, 2022. The attached Exhibit B details the investments held as of December 31, 2022. These Exhibits are submitted in accordance with the Authority's Investment Policy as approved by the Board on March 28, 2022.

The Finance Committee considered this item at its March 27, 2023 meeting and recommended that this item be presented to the full Board for consideration.

RECOMMENDATION:

It is recommended that the Board accept these reports and that this item be included in the minutes of this meeting.

  
Chief Financial Officer

RECOMMENDATION APPROVED:

  
Interim Executive Director

**Please refer to Item 3 in the  
Finance Committee Meeting  
Book**

Meeting No.	757
Item	4
Appendix	D

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Matthew A. Howard  
Chief Financial Officer

SUBJECT: Review and Approval of the Authority's Annual Investment Report

In accordance with Section 2925 of the Public Authorities Law, the Authority is required to annually prepare, approve and submit to the New York State Division of the Budget a report on investments which includes the guidelines for making investments, the results of the annual independent audit, the investment income record and a list of the total fees, commissions or other charges paid to each investment banker, agent, dealer and adviser rendering investment associated services since the last report. A copy of this report must be submitted to the Office of the State Comptroller, the Senate Finance Committee and the Assembly Ways and Means Committee.

Exhibit A is the policy statement FINANCIAL INVESTMENTS. This policy was last approved at Board Meeting 753 on March 28, 2022 and there have been no updates since.

Exhibit B covers the annual independent audit by BST, LLC and Exhibit C is a listing of investment income for the calendar year 2022. The Authority does not pay fees or commissions on its investment transactions.

The Thruway Authority is responsible for the security and investment of all monies held in the various funds established by bond resolutions. The specific bond resolutions authorize the Authority to perform this function.

Authority funds are invested in accordance with the policy statement, investment guidelines issued by the State Comptroller and the respective bond resolutions. Funds administered by the Authority may be invested in obligations of or guaranteed by the United States

of America or the State of New York (other than obligations of the Authority), debt of state or local governments, agencies of the federal government, commercial paper, bankers' acceptances, time deposits and repurchase agreements. All bond resolutions permit such investments.

The policy statement FINANCIAL INVESTMENTS, attached hereto, provides the basic rules and structure for the investment of funds by the New York State Thruway Authority. The policy states the investment objectives and provides the guidelines for making investments and administering the program.

The Department of Finance and Accounts has reviewed the policy statement and believes that it meets all requirements established by the State Legislature and the Investment Guidelines for Public Authorities developed by the Office of the State Comptroller.

The Finance Committee reviewed this item at its March 27, 2023 meeting and recommended it be submitted to the Board for consideration.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

REVIEW AND APPROVAL OF THE AUTHORITY'S ANNUAL  
INVESTMENT REPORT

RESOLVED, that the Authority's Investment Report including the revised policy statement FINANCIAL INVESTMENTS, the annual report by the independent auditors, and the listing of investment income has been reviewed and is hereby approved, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



Chief Financial Officer

RECOMMENDATION APPROVED:



Interim Executive Director

**Please refer to Item 4 in the  
Finance Committee Meeting  
Book**

Meeting No.	757
Item	5
Appendix	E

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Matthew A. Howard  
Chief Financial Officer

SUBJECT: Annual Report of 2022 Procurement Contracts

In accordance with Section 2879 of the Public Authorities Law, the Authority is required to prepare, approve and submit to the New York State (NYS) Division of the Budget an annual report on procurement contracts. Included in the report are schedules of all personal service contracts, all purchasing contracts, all construction contracts, a summary of all bond sales and the guidelines for awarding such contracts. A copy of this report is also submitted to the NYS Office of the State Comptroller, the NYS Department of Economic Development, the NYS Senate Finance Committee and the NYS Assembly Ways and Means Committee.

The 2022 schedules of personal service contracts and purchasing contracts are attached as Exhibits A1 (Non-Engineering Personal Service Contracts), A2 (Engineering and Architectural Contracts), A3 (Purchasing Contracts) and A4 (Construction Contracts). These schedules identify the consultants/vendors providing goods or services, the amounts of the contracts, a description of the goods or services provided and the status of the contract.

In addition, the Authority is required to submit annually a bond sale report summarizing all bond sales that occurred during the calendar year. Information regarding these sales is included in the attached report marked Exhibit B.

The guidelines for awarding procurement contracts are found in the Policy Statement entitled PROCUREMENT CONTRACTS (25-5-01). This Policy Statement is attached as Exhibit C. Unless otherwise authorized by the Board, staff of the Authority followed these guidelines in

the awarding of procurement contracts during 2022. In addition, at this time the State Comptroller pre-approves the award of contracts in excess of \$50,000. Part of the pre-approval process includes a review of the award for compliance with applicable statutes and policy requirements, which consist of compliance with State Finance Law Sections 139-j and 139-k, and performance of an affirmative review of a contractor's or Professional Firm's responsibility. This performance review is designed to provide reasonable assurance that the proposed contractor or Professional Firm is responsible and considers such issues as: integrity; performance on other governmental contracts; legal ability to supply the product or perform the services; and financial and organizational capability.

The Finance Committee considered this item at its March 27, 2023 meeting and recommended that this item be presented to the full Board for consideration.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

ANNUAL REPORT OF 2022 PROCUREMENT CONTRACTS

RESOLVED, that the Schedules of 2022 Procurement Contracts (Exhibits A1, A2, A3 and A4), as submitted, are hereby accepted, and be it further



RESOLVED, that all such contracts were executed in accordance with the applicable provisions of the following Board approved Policy Statement: PROCUREMENT CONTRACTS (25-5-01), unless otherwise authorized by the Board, and be it further

RESOLVED, that the Bond Sale Report for Calendar Year 2021 (Exhibit B), as submitted, is hereby accepted, and be it further

RESOLVED, that staff is authorized to submit this report to the New York State entities as required by Section 2879 of the Public Authorities Law, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



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Chief Financial Officer

RECOMMENDATION APPROVED:



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Interim Executive Director

**Please refer to Item 5 in the  
Finance Committee Meeting  
Book**

Meeting No.	757
Item	6
Appendix	F

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Matt Howard  
Chief Financial Officer

SUBJECT: Report of BST & Co. CPAs, LLC's Audit of the Authority's Financial Statements,  
Report on Compliance with Investment Guidelines and Required Communications  
to the Authority's Board

The Authority's independent auditors, BST & Co. CPAs, LLC (BST), have audited the Authority's Financial Statements as of December 31, 2022. BST's presentation to the Audit Committee is attached as Exhibit A.

BST has expressed an unmodified opinion that the Authority's Financial Statements present fairly, in all material respects, the financial condition of the Authority. The Authority's Financial Statements, including BST's unmodified opinion are attached as Exhibit B.

In accordance with Government Auditing Standards BST has issued a Report on Internal Controls Over Financial Reporting and on Compliance with Other Matters (Exhibit C).

In accordance with the Investment Guidelines for Public Authorities and the Authority's own Investment Policy, BST issued a report on Compliance with Investment Guidelines which disclosed no instances of noncompliance (Exhibit D).

BST has presented the Authority's Board with communications they are required to provide in accordance with Generally Accepted Auditing Standards (Exhibit E).

The Audit Committee reviewed this item at its March 27, 2023 meeting and recommended it be submitted to the Board for consideration.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. \_\_\_\_\_

REVIEW AND APPROVAL OF THE REPORT OF BST & CO.  
CPAs, LLC's AUDIT OF THE AUTHORITY'S FINANCIAL  
STATEMENTS, REPORT ON COMPLIANCE WITH  
INVESTMENT GUIDELINES AND REQUIRED  
COMMUNICATIONS TO THE AUTHORITY'S BOARD

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RESOLVED, that the Authority's Financial Statements,  
Report on Compliance with Investment Guidelines and Report on  
Internal Control Over Financial Reporting and Compliance and  
Other Matters Based on an Audit of the Authority's Financial  
Statements has been reviewed and is hereby approved, and be it  
further

RESOLVED, that this resolution be incorporated in the  
minutes of this meeting.



Chief Financial Officer

RECOMMENDATION APPROVED:



Interim Executive Director

Please refer to Item 2 in the  
Audit Committee Meeting  
Book

Meeting No. 757  
Item 7  
Appendix G

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Joanne M. Mahoney  
Chair

SUBJECT: Amending the Thruway Authority Bylaws

It is proposed that the Authority Bylaws be amended to include proposed organizational changes, to provide for authorization of the conduct of remote meetings under extraordinary circumstances consistent with Chapter 56 of the Laws of 2022 and to adopt defense and indemnification provisions for Board members and employees.

Chapter 56 of the Laws of 2022 provides that each public body that wishes to allow for remote attendance by its members at locations that do not allow for in-person physical attendance by the public is required to adopt a resolution that permits remote attendance, and must establish written procedures that set forth what they determine to be “extraordinary circumstances.” The Law includes a non-exhaustive list of examples of such circumstances, “including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.” The Law also requires “that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend.”

The changes to Article IV of Bylaws reflect the provisions of the Law as well as remove the authorization for meetings to be conducted by telephone - the Open Meetings Law allows remote participation by videoconferencing only. Additional changes to Article IV of the Bylaws includes the addition of a “presumption of assent” to facilitate meetings. This will assume all

Board Members have voted in favor of a Board Item unless their objection or recusal is specifically noted in the minutes of the meeting.

Changes to Article V of the Bylaws based on organizational changes include the addition of the Strategic Center of Excellence, Department of Revenue Management, and Department of Procurement Services to the departments of the Authority and the roles and heads of these new departments. These proposed changes are based on the Authority's Vision Forward project to better align the organizational structure and resource allocation with the realities and customer expectations of the 21st century. Additionally, the changes include renaming the title of "Staff" to "Executive Staff" to reflect the supervisory responsibilities of these positions and renaming the head of the Department of Information Technology to Chief Information Officer.

In Article VI, the proposed changes confer the indemnification benefits of Section 18 of the Public Officers Law upon all former and present employees and Board Members. It is common for bylaws to contain an indemnification provision, but currently they are only found in Board resolutions.

All of the changes to the Bylaws were approved by the Governance Committee at its March 27, 2023 meeting and are set forth in track changes format in Exhibit A attached hereto. The Governance Committee recommends that the Board adopt the revised Bylaws with all of these changes incorporated.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

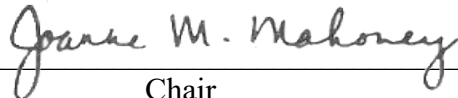
AMENDING THE THRUWAY AUTHORITY BYLAWS

RESOLVED, that the Authority hereby approves the amendments to the Authority Bylaws attached hereto as Exhibit A; and be it further

RESOLVED, that such amendments shall take effect immediately; and be it further

RESOLVED, that the Executive Director is authorized and directed to modify existing Authority policies and procedures as necessary to incorporate and be consistent with these amendments; and be it further

RESOLVED, that this resolution be incorporated in full in the minutes of this meeting.

  
Chair



**Please refer to Item 2 in the  
Governance Committee  
Meeting Book**

TO: The Thruway Authority Board

FROM: Joseph Igoe  
First Deputy General Counsel

SUBJECT: Review and Approval of Real Property Management Policy, Personal Property Disposal Policy, Procurement Contracts Policy, Whistleblower Policy, Code of Ethics Governing Employees, and Code of Ethics Governing Board Members

The Public Authorities Law requires some policies to be reviewed by the Board on an annual basis; whereas the Authorities Budget Office recommends other policies to be reviewed and evaluated on an annual basis. Consistent with such, attached in Exhibit A for the review of the Board are: Real Property Management Policy, Personal Property Disposal Policy, Procurement Contracts Policy, Whistleblower Policy, and Code of Ethics Governing Employees and Code of Ethics Governing Board Members. Appropriate Authority staff have reviewed such. No changes to the policies are recommended except to the Whistleblower Policy, Code of Ethics Governing Employees and Code of Ethics Governing Board Members to change references from the Joint Commission on Public Ethics to the Commission on Ethics and Lobbying in Government. The Governance Committee considered this item at its March 27, 2023 meeting and recommended that this item be presented to the full Board for consideration.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

REVIEW AND APPROVAL OF REAL PROPERTY  
MANAGEMENT POLICY, PERSONAL PROPERTY DISPOSAL  
POLICY, PROCUREMENT CONTRACTS POLICY,  
WHISTLEBLOWER POLICY, CODE OF ETHICS GOVERNING  
EMPLOYEES AND CODE OF ETHICS GOVERNING BOARD  
MEMBERS

RESOLVED, that the Real Property Management Policy,  
Personal Property Disposal Policy, Procurement Contracts Policy,  
Whistleblower Policy, Code of Ethics Governing Employees and  
Code of Ethics Governing Board Members, as contained in Exhibit  
A, be, and the same hereby are, approved, and be it further

RESOLVED, that this resolution be incorporated in the  
minutes of this meeting.



First Deputy General Counsel

RECOMMENDATION APPROVED:



Interim Executive Director

**Please refer to Item 3 in the  
GOVERNANCE Committee  
Meeting Book**

Meeting No. 757  
Item 9  
Appendix I

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Joanne M. Mahoney  
Chair

SUBJECT: Appointing Frank Hoare as Interim Executive Director

Pursuant to Public Authorities Law (PAL) sections 352(3) and 354(6) the Board of the New York State Thruway Authority may delegate powers and duties to its officers, agents and employees and fix their compensation. Authority Bylaws Article V section G establishes the position of Executive Director. The Executive Director, under the supervision of and subject to the directions of the Chair, is the chief executive officer of the Authority and is primarily responsible for the discharge of the administrative functions of the Authority, including the giving of such orders and directives as are necessary for the conduct of the Authority's business.

I recommend that the Authority's General Counsel Frank Hoare, be appointed as Interim Executive Director, effective December 20, 2022. Mr. Hoare shall continue to serve as General Counsel, and serve as Interim Executive Director until a successor Executive Director or Interim Executive Director is named by the Board. Mr. Hoare shall possess all of the powers of the Executive Director under the Bylaws.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

APPOINTING FRANK HOARE AS INTERIM EXECUTIVE  
DIRECTOR

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Meeting No. 757

Item 9

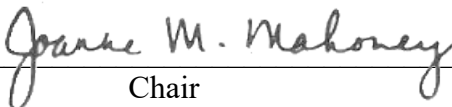
Appendix I

RESOLVED, that the Board of the New York State Thruway Authority hereby appoints General Counsel Frank Hoare as Interim Executive Director of the New York State Thruway Authority effective December 20, 2022, and be it further

RESOLVED, that Mr. Hoare as Interim Executive Director shall possess all of the powers reserved to the Executive Director pursuant to the Bylaws of the New York State Thruway Authority, and be it further

RESOLVED, that Mr. Hoare shall continue to serve as General Counsel of the Authority, and be it further

RESOLVED, that this resolution be incorporated in full in the minutes of this meeting.

  
Chair

Meeting No. 757  
Item 10  
Appendix J

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Matthew J. Trapasso  
Interim Director of Administrative Services

SUBJECT: Authorization for the Interim Executive Director to Execute a Collective Bargaining Agreement Between the Thruway Authority and Local 456, New York State Thruway Employees International Brotherhood of Teamsters

Representatives of the Thruway Authority and Local 456, New York State Thruway Employees International Brotherhood of Teamsters (Local 456), the certified representative of employees in Negotiating Unit I, non-supervisory Maintenance and Clerical employees, have reached a tentative Collective Bargaining Agreement. The agreement was ratified by the members of Unit I on XXXX. The tentative agreement includes significant changes to employee Health Insurance contributions resulting in long term reduced costs to the Authority. The major salary terms of the tentative agreement, match those negotiated by the State. The previous Unit I agreement expired on June 30, 2022. The new agreement with Unit I is effective July 1, 2022 through June 30, 2026 subject to ratification by both parties and the execution of the agreement by both parties. Following are the major provisions of the agreement:

### SALARY

#### General Salary Increase

- Retroactive to the pay period that includes July 1, 2022, the base salary of employees and the Unit I Salary Schedule will be increased by 2.0%
- Effective the pay period that includes July 1, 2023, the base salary of employees and the Unit I Salary Schedule will be increased by 3.0%
- Effective the pay period that includes July 1, 2024, the base salary of employees and the Unit I Salary Schedule will be increased by 3.0%

- Effective the pay period that includes July 1, 2025, the base salary of employees and the Unit I Salary Schedule will be increased by 3.0%
- Eligible Unit 1 employees will receive a lump sum payment of \$3,000 not added to base salary.

#### Lag Payroll

- Authority gains the ability to institute a lag payroll.

#### Location Differential

- Increases from \$3,026 to \$3,116 annually for Bronx, Rockland, or Westchester counties effective July 1, 2023. Effective July 1, 2024 increases from \$3,116 to \$3,400 annually.
- Increases from \$1,513 to \$1,600 annually for Dutchess, Putnam, and Orange counties effective July 1, 2023. Effective July 1, 2024 increases from \$1,600 to \$1,700 annually.

#### Service Awards

- A \$200 increase in service awards with an additional \$100 increase effective July 1, 2025.

#### Overtime Calculation

- For 37.5 hour employees the hourly rate is to be calculated as:  $(\text{Annual Salary} \div 1950)$
- For 40 hour employees the hourly rate is to be calculated as:  $(\text{Annual Salary} \div 2080)$



### HEALTH INSURANCE

- Effective January 1, 2024: For all employees Salary Grade 10 and above the Authority will contribute at a rate of 84% of the cost for individual coverage and at a rate of 69% of the cost for dependent coverage for the Empire Plan.
- Effective January 1, 2024: For all employees Salary Grade 9 and below the Authority will contribute at a rate of 88% of the cost for individual coverage and at a rate of 73% of the cost for dependent coverage for the Empire Plan.
- For such employees enrolled in the HMO plans, the Authority further agrees to pay up to the same dollar amounts as for the Empire Plan.
- Health Insurance Opt-out payment will increase to \$1,500 for individual coverage and \$3,000 for dependent coverage for all employees.

### EMPLOYEE BENEFIT FUND

- The Authority will reduce its monthly contribution per eligible employee to the Teamsters Local 72 Welfare Fund from \$407.30 to \$367.30.
- Employees will no longer contribute \$40/month towards the Welfare Fund.
- Effective 1/1/24 there will no longer be any Authority contributions towards the Welfare Fund.
- Effective 1/1/24 Prescription Drug and Dental coverage will be through NYSHIP.

### DISCIPLINARY PROCEDURE

- Authority gains the right to immediately suspend an employee pending the outcome of a hearing officer's decision. The Authority's ability to modify a hearing officer's penalty is restricted to a modification short of termination.

## ALLOWANCES

### Night Shift Differential

- Eligible Administrative Headquarters Employees: Increased from \$7.50/shift to \$8.00/shift for the III shift. Increased from \$11.25/shift to \$12.00/shift for the I Shift.
- All Maintenance Employees and Couriers: Increased from \$8.00/shift to \$8.25/shift for the III shift. Increased from \$12.00/shift to \$12.25/shift for the I shift.
- Clerical Employees: Increased from \$1/hr. to \$1.25 hr. for each full hour of work outside the employee's regular II shift between 5 p.m. and 12 a.m.. Increased from \$1.50/hr. to \$1.75/hr. for each full hour of work outside the employee's regular II shift between 12 a.m. to 7 a.m.

### Safety Shoe Reimbursement

- Increased from \$150 per pair to \$175 per pair for eligible staff.

### High Level Premium Pay

- Increased from \$.30/hr. to \$.60/hr.

### Work Clothing and Cleaning Allowance

- Standardizes at \$175 annually for eligible staff. Previously ranged from \$145-\$160 annually.

### Training Pay for Certain types of Training

- Increased from \$2/hr. to \$4/hr.

#### Overtime Meal Allowance

- Increases from \$6 to \$8.

#### Tool Allowance

- Increase from \$300 annually to \$350 annually for eligible titles.

#### OTHER

##### Compensatory Time

- Accumulation of compensatory time will be limited to 120 hours for new employees.

##### Promotion of Non-competitive Field Maintenance Staff

- The Authority gains the right to select from among the top three senior qualified candidates.  
without the use of a skip memo, rather than only the single most senior candidate.

##### Winter Season Call Out Bonus

- Allows for proration of the benefit.
- Establishes a minimum number of responses required for eligibility.
- Adds five titles to those eligible for Bonus: Service Area Mechanic, Trades Generalist, Crane and Shovel Operator, Bridge Welder, and Trades Specialist (Welder).

#### COST

The total increased cost for all items of the proposal, including Social Security and Retirement, is as follows:

7/1/2022	7/1/2023	7/1/2024	7/1/2025
\$4,513,480	\$6,629,664	\$6,986,847	\$7,456,978

No additional appropriations are required since sufficient funds have been included in the Operating Budget.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZATION FOR THE INTERIM EXECUTIVE  
DIRECTOR TO EXECUTE A COLLECTIVE BARGAINING  
AGREEMENT BETWEEN THE THRUWAY AUTHORITY AND  
LOCAL 456, NEW YORK STATE THRUWAY EMPLOYEES  
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

RESOLVED, that the Interim Executive Director be, and hereby is, authorized to execute an agreement between the Authority and Local 456, New York State Thruway Employees International Brotherhood of Teamsters (as representatives of employees in Negotiating Unit I) ("Agreement") after the Agreement is ratified by the members of Unit I and notice of such ratification is provided to the Interim Executive Director; and be it further

RESOLVED, that such Agreement shall have a term beginning July 1, 2022 and ending June 30, 2026, and shall be on the terms and conditions consistent with this Board item; and be it further

RESOLVED, that the Interim Executive Director or his designee be, and hereby is, authorized to enter into Memoranda of

Meeting No. 757  
Item 10  
Appendix J

Understanding or Settlement Agreements with representatives of  
Local 456 to clarify or otherwise settle questions or disputes  
regarding the interpretation and application of the Agreement; and  
be it further

RESOLVED, that this resolution is contingent upon Unit I  
ratification of the Agreement; and be it further

RESOLVED, that this resolution be incorporated in full in  
the minutes of this meeting.



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Interim Director of Administrative Services

RECOMMENDATION APPROVED:



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Interim Executive Director

Meeting No. 757  
Item 11  
Appendix K

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Matthew J. Trapasso  
Interim Director of Administrative Services

SUBJECT: Authorization for the Interim Executive Director to Approve Geographic Pay Differential for Select Maintenance Titles

In December 2022 New York State Department of Civil Service and Division of the Budget approved a geographic pay differential for certain titles directly involved with snow and ice control equipment and activities at the New York State Department of Transportation. To remain competitive and prevent any adverse impact on the Authority's ability to recruit and retain staff in critical snow and ice positions, I am recommending the Board authorize the Interim Executive Director to implement a geographic pay differential added to the base salaries of the 16 maintenance titles in the work locations outlined in Exhibit A.

If approved, geographic differential payments will be included in the check for the pay period that includes April 26, 2023. Payments will be retroactive to December 8, 2022 for those employees in eligible titles who are on the payroll as of April 26, 2023. The retroactive payment will be made as soon as practical after the April 26, 2023 pay period.

Based on the current number of eligible titles, the annual recurring cost is expected to be approximately \$8 million. Sufficient funding will be provided in the 2023 Operating Budget.

The Finance Committee considered and approved this item at its March 27, 2023 meeting and authorized Authority staff to present this item to the Authority Board.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

Meeting No. 757

Item 11

Appendix K

RESOLUTION NO.

AUTHORIZATION FOR THE INTERIM EXECUTIVE  
DIRECTOR TO APPROVE GEOGRAPHIC PAY  
DIFFERENTIAL FOR SELECT MAINTENANCE TITLES

RESOLVED, that the Interim Executive Director be, and hereby is, authorized to take the necessary steps to implement the Geographic Pay Differential (Exhibit A) effective the pay period that includes April 26, 2023, and be it further

RESOLVED, that this resolution be incorporated in full in the minutes of this meeting.



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Interim Director of Administrative  
Services

Meeting No. 757  
Item 12  
Appendix L

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Joseph Igoe  
First Deputy General Counsel

SUBJECT: Authorizing the Interim Executive Director to Execute Agreements for Outside Counsel Services

The Authority requires a panel of Firms to represent the Authority in seven (7) areas of law in which the Authority may require legal services. Nine (9) firms have been selected to serve on the panel based on the needs of the Authority. The Authority issued a Request for Proposals (“RFP”) on June 8, 2022. The RFP identified seven (7) areas of law in which the Authority may require legal services. The RFP established the criteria by which proposals received would be evaluated. A Weight Committee established the weights for each of the evaluation criterion prior to issuance of the RFP.

The Authority received forty (40) proposals from sixteen (16) different proposers by the due date of July 20, 2022 and distributed them to seven (7) Evaluation Committees. The Committees were composed of Authority staff having expertise in the specified area of law and/or their corresponding managerial program areas. The Committee members evaluated the proposals in accordance with four (4) criteria areas as set forth in the RFP, with two (2) remaining criteria areas evaluated by qualified Authority personnel who were non-members of the Evaluation Committee. Based on the evaluations, consensus scores were reached for each criterion stated in the RFP. The weights for each criterion, previously established by the Weight Committee, were applied to the consensus scores to produce final weighted scores, and the proposals were then ranked. Based on the evaluations of Authority staff and the weighted scores achieved, the following firms have been selected to serve the needs of the Authority.



**Design and Construction**

- Hoguet Newman Regal and Kennedy, LLP
- Holland & Knight LLP

**Environmental**

- Bond Schoeneck & King PLLC
- Mintzer Mauch, PLLC - MWBE

**General Corporate**

- Bond, Schoeneck & King PLLC
- Holland & Knight LLP

**General Litigation**

- Brown Hutchinson LLP - MWBE
- Calcaterra Pollack LLP - MWBE
- Vahey Law Offices PLLC - MWBE
- Rozario Touma, P.C. - MWBE

**Intellectual Property**

- BurgherGray LLP - MWBE

**Labor and Employment**

- Bond Schoeneck & King PLLC
- Brown Hutchinson LLP - MWBE

**Real Property**

- Bond Schoeneck & King PLLC
- Rozario Touma, P.C. - MWBE

It is recommended that the Board authorize the Interim Executive Director or designee to execute agreements with the above-named firms to perform outside counsel services to serve the needs of the Authority on an as-needed basis. The agreements will be for a five (5) year term, up to a maximum amount payable of \$2,000,000 for each agreement based on the area of law and perceived need of services. Appropriate funding has been or will be allocated in the Operating Budget.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO  
EXECUTE AGREEMENTS FOR OUTSIDE COUNSEL  
SERVICES

RESOLVED, that the Interim Executive Director be, and he hereby is, authorized to execute agreements with Bond Schoeneck & King PLLC; Brown Hutchinson LLP; BurgherGray LLP; Calcaterra Pollack LLP; Hoguet Newman Regal and Kennedy, LLP; Holland & Knight LLC; Mintzer Mauch, PLLC; Rozario Touma, P.C.; and Vahey Law Offices PLLC, for Outside Counsel Services to the Authority; and be it further

RESOLVED, that each outside counsel shall each be for a 5 year term commencing on or about April 30, 2023; agreements shall have a maximum amount payable of up to \$2,000,000 based on the area of law and perceived need of services; and the agreements shall be on such other terms and conditions that the Interim Executive Director, in consultation with the Legal Department, determines to be in the best interests of the Authority; and be it further

RESOLVED, that the Interim Executive Director or his designee shall have the authority to exercise all powers reserved to

Meeting No. 757  
Item 12  
Appendix L

the Authority under the provisions of the agreements, to manage and administer the agreements, amend the provisions of the agreements consistent with the terms of this item and other Board authorizations, and suspend or terminate the agreements in the best interests of the Authority; and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



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First Deputy General Counsel

RECOMMENDATION APPROVED:



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Interim Executive Director

Meeting No. 757  
Item 13  
Appendix M

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Joseph Igoe  
First Deputy General Counsel

SUBJECT: Authorizing the Interim Executive Director to Execute a Contract Amendment with Whiteman, Osterman & Hanna, LLP for Outside Counsel Services

The Authority has an agreement (C010490) with Whiteman, Osterman & Hanna, LLP (“WOH”) for the provision of outside counsel services to the Authority. Pursuant to the agreement, WOH provides representation to the Authority in labor and employment matters and general litigation. WOH currently represents the Authority in pending federal litigation and before the Public Employment Relations Board related to the reduction in force of employees in 2013. These matters will likely last beyond the April 25, 2023 expiration of the agreement. Additionally, the agreement has insufficient funds left to pay for potential trial expenses and appeals expenses in the event that such the litigation proceeds to such stages.

Based on this, an amendment for a two-year extension of the agreement’s term until April 25, 2025 and increase in the agreement’s maximum amount payable by \$800,000 to a new maximum amount payable of \$1,600,000 is recommended. There are sufficient funds in the Authority’s Operating Budget.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

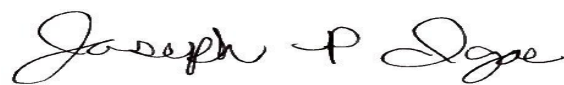
AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO  
EXECUTE A CONTRACT AMENDMENT WITH WHITEMAN,  
OSTERMAN & HANNA, LLP FOR OUTSIDE COUNSEL  
SERVICES

RESOLVED, that the Interim Executive Director be, and he hereby is, authorized to execute an amendment to agreement C010490 with WOH for ongoing outside legal services to increase the maximum amount payable under such agreement by \$800,000 to a new monetary cap of \$1,600,000, and to extend the term for two additional years; and be it further

RESOLVED, that funding for the requested increase will be charged to the Authority's Operating Budget; and be it further

RESOLVED, that the Interim Executive Director or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and other Board authorizations and suspend or terminate the agreement in the best interest of the Authority; and be it further

RESOLVED, that this resolution be incorporated in full in the minutes of this meeting.



First Deputy General Counsel

RECOMMENDATION APPROVED:



Interim Executive Director

Meeting No. 757  
Item 14  
Appendix N

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Joseph Igoe  
First Deputy General Counsel

SUBJECT: Declaring Real Property Reference No. TB21-2, Located in the Town of Hamburg and County of Erie, as Not Necessary for Authority Corporate Purposes and Authorizing the Auction Thereof

TRANSACTION:

Proposed is the sale of Real Property Reference No. TB21-2 (hereinafter, "Subject Property"), via a public auction.

PROPERTY DESCRIPTION:

The Subject Property is situated opposite and west of the on/off ramps for Thruway Interchange 57 along NYS Route 75 (Camp Road) near mile post 436.7± in the Town of Hamburg, and County of Erie as shown on the attached aerial site sketch and survey map attached hereto, respectively, as Exhibits I and II, and consists of 15.016 ± acres.

FORMER USE AND PRESUMED INTENDED USE:

The Subject Property is currently vacant due to the recent removal of overhead ramps at Interchange 57 (Authority Project TAB17-30) and contains drainage structures (culverts, drainage pipes, ditches), utility poles, and a 3" gas line running along the northwestern and western boundaries. Benderson Development Company (hereinafter, "Applicant") submitted an application to purchase with the intent to develop the parcels with car wash buildings, asphalt paving, concrete gas pump islands, underground fuel storage tanks and fuel pumps.

The Subject Property will be conveyed with the reservation of a 12,063± square foot permanent easement to the People of the State of New York for New York State Department of Transportation purposes (hereinafter, "NYSDOT"), for drainage near the northeast corner of the

Subject Property. The Subject Property is unzoned vacant land adjacent to commercially zoned real property.

VALUATION:

In accordance with the Authority's Real Property Management Policy, the value of the Subject Property was independently appraised by two appraisal consultants. Both consultants considered the Subject Property's fair market value under the assumption that it was zoned commercially.

In a review appraisal conducted by the Office of Real Property Management (hereinafter, "ORPM"), the fair market value was estimated to be \$4,910,000 as it was found to be most justified, defensible, and soundly reasoned.

APPROVAL PROCESS:

The Subject Property was deemed to be appropriate for disposal via auction under a transactional analysis and recommendation. Based upon the aforementioned valuation, ORPM recommended that a minimum auction bid of \$4,910,000 be approved.

It is further recommended that the Executive Director, or designee, be authorized to accept the highest bid that meets or exceeds the minimum bid, and to execute an agreement for the sale of real property with the highest bidder. Federal Highway Administration review and approval is required due to an access modification across from Interchange 57. In accordance with the Thruway Real Property Management Policy, such purchase agreement would be subject to approval by the Office of Attorney General and by the State Comptroller. The Office of Attorney General would prepare a deed that would be delivered.

FIRST DEPUTY GENERAL COUNSEL’S CERTIFICATION:

In my capacity as First Deputy General Counsel, I concur with the foregoing recommendations and advice by ORPM staff and attest that the proposed sale complies with all applicable provisions of law relating to such transactions and with the Thruway Real Property Management Policy.

For the purpose of satisfying the Authority’s obligations pursuant to the State Environmental Quality Review Act (hereinafter, “SEQRA”), a SEQRA Short Environmental Assessment form was completed for the proposed transaction. The Chief Engineer has recommended execution of a SEQRA Negative Declaration.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. \_\_\_\_\_

DECLARING REAL PROPERTY REFERENCE NO. TB21-2,  
LOCATED IN THE TOWN OF HAMBURG AND COUNTY OF  
ERIE, AS NOT NECESSARY FOR THE AUTHORITY’S  
CORPORATE PURPOSES AND AUTHORIZING THE  
AUCTION THEREOF

---

RESOLVED, that the Board hereby finds, determines and  
declares that all remaining right, title and interest in and to Real  
Property Reference No. TB21-2 (hereinafter, “Subject Property”),  
as shown and delineated on Exhibits I and II attached hereto and  
made a part hereof, is not necessary for the Authority’s corporate  
purposes and, therefore, available for auction subject to the



reservation of a drainage easement for the People of the State of New York; and be it further

RESOLVED, that the Office of Real Property Management is authorized to conduct a public auction (hereinafter, “Auction”) of the Property at a minimum-bid amount of \$4,910,000 (hereinafter, “Minimum Bid”); and be it further

RESOLVED, that the Executive Director, or designee, be, and the same hereby is, authorized to accept the highest responsive bid that meets or exceeds the Minimum Bid, to memorialize such acceptance via the execution of an agreement for the sale of real property with the highest bidder on terms and conditions deemed by General Counsel to be in the Authority’s best interest, and to convey the Subject Property to such highest responsive bidder; and be it further

RESOLVED, that the Chief Engineer, or his designee, be and the same hereby is, authorized to execute the SEQRA Short Environmental Assessment form and SEQRA Negative Declaration, and to distribute any required documents on behalf of the Board relative to such adoption; and be it further

RESOLVED, that the Executive Director, Chief Engineer, Chief Operating and Financial Officer, and General Counsel be, and the same hereby are, authorized to take all steps necessary to implement this Board action; and be it further

Meeting No. 757  
Item 14  
Appendix N

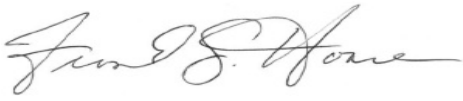
RESOLVED, that this resolution be incorporated in the  
minutes of this meeting.



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First Deputy General Counsel

RECOMMENDATION APPROVED:



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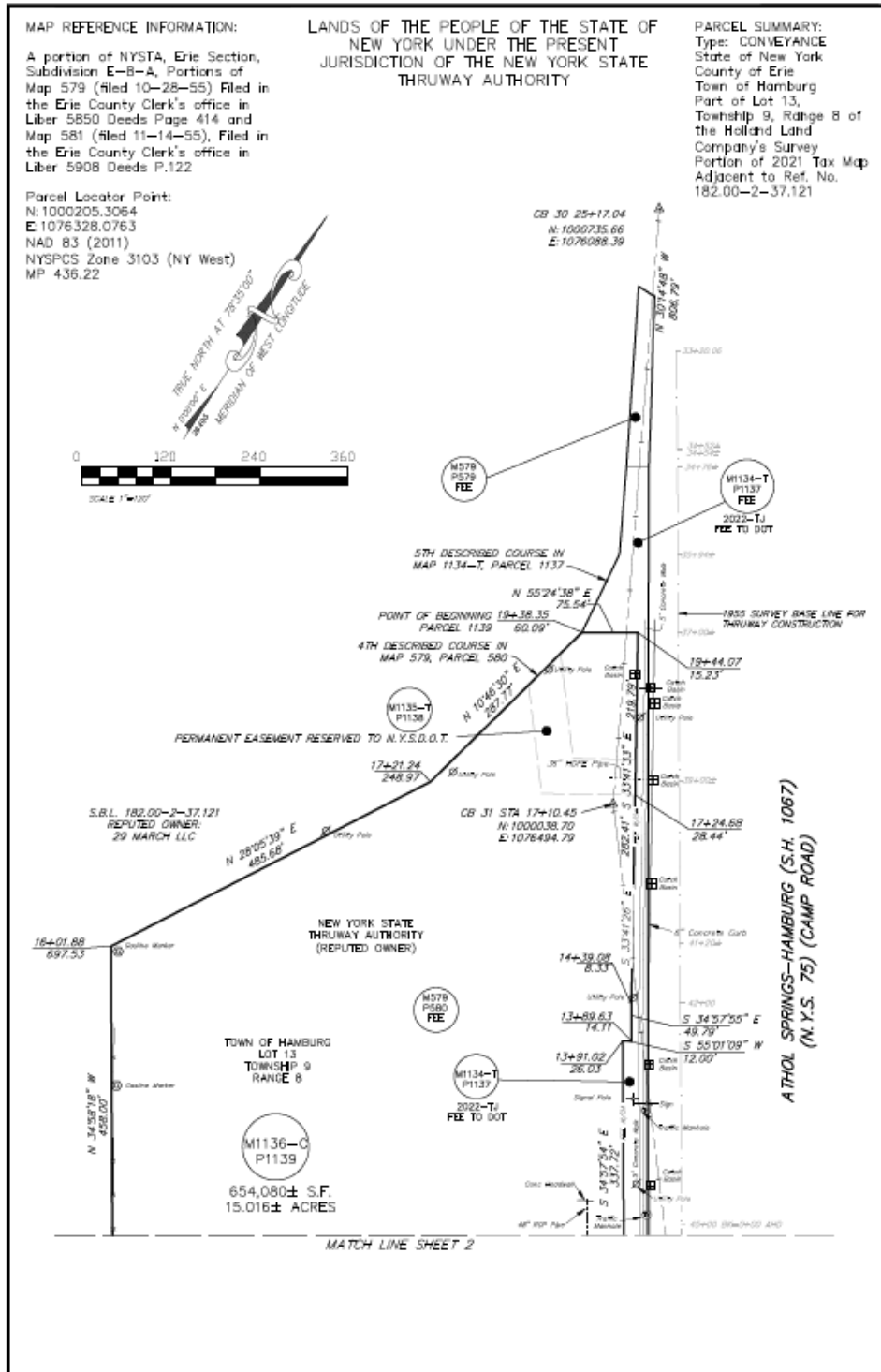
Interim Executive Director

Appendix N

## Exhibit I



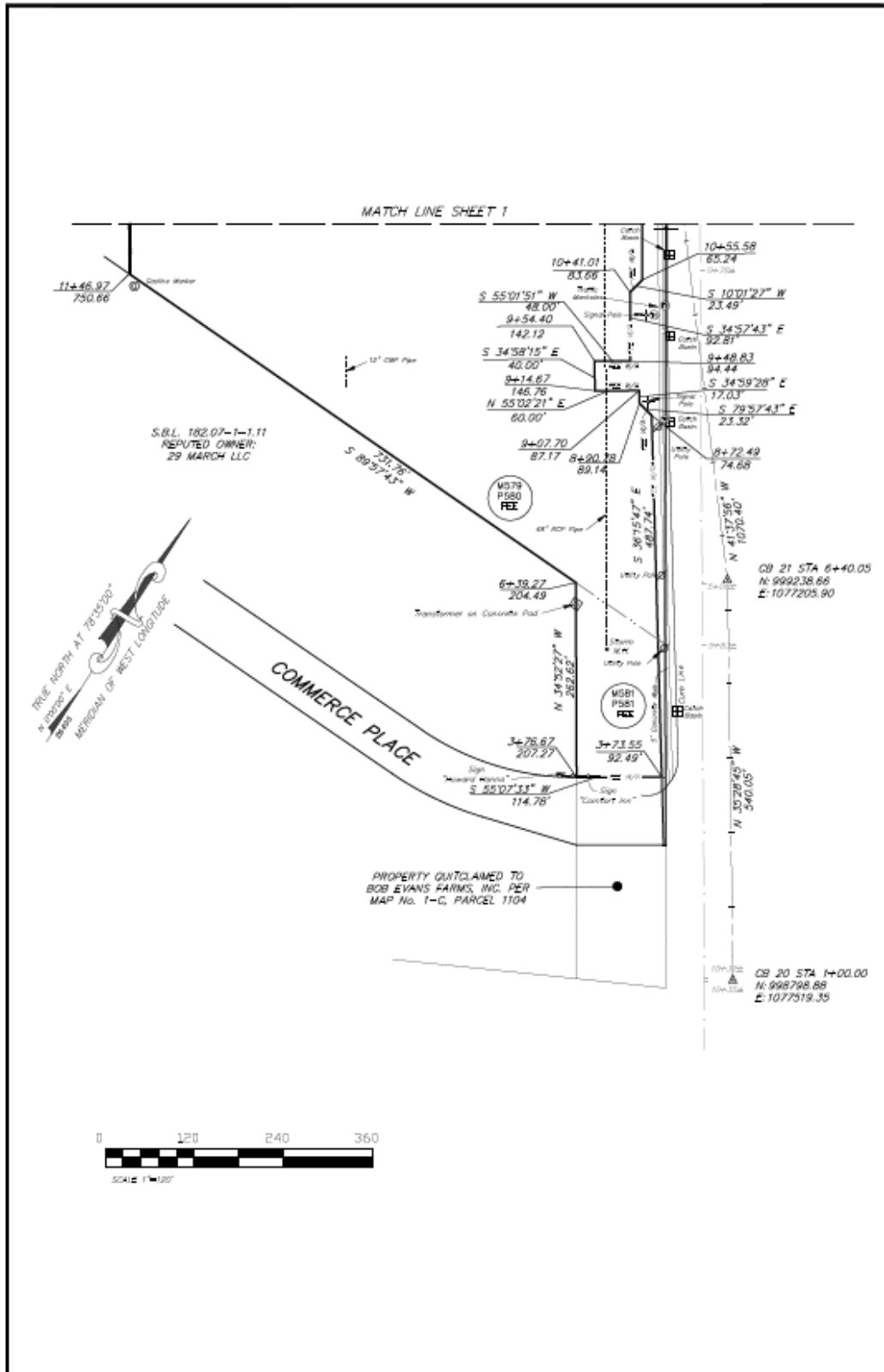
MAP NO. 1136-C  
PARCEL NO. 1139  
SHEET 1 OF 5 SHEETS



NEW YORK STATE THRUWAY  
ERIE SECTION  
SUBDIVISION No. E-8-A

NEW YORK STATE  
THRUWAY AUTHORITY  
CONVEYANCE MAP

MAP NO. 1136-C  
PARCEL NO. 1139  
SHEET 2 OF 5 SHEETS



Meeting No. 757  
Item 15  
Appendix O

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Joseph Igoe  
First Deputy General Counsel

SUBJECT: Declaring Full Jurisdiction Over Title Real Property Reference No. TB22-4  
Located in the Town of Hamburg and County of Erie, as Not Necessary for the  
Authority's Corporate Purposes; and Consenting to the Transfer of Such  
Jurisdiction to the New York State Department of Transportation

TRANSACTION:

Proposed is the transfer of full jurisdiction (hereinafter, "TJ") over title to Real Property Reference No. TB22-4 (hereinafter, "Subject Property") to New York State Department of Transportation (hereinafter, "NYSDOT"). The Subject Property consists of an irregularly shaped, 1.252± acre parcel situated along Camp Road, at road grade, as shown on the attached survey map attached hereto, as Exhibit I.

FORMER USE AND PRESUMED INTENDED USE:

The Office of Real Property Management (hereinafter, "ORPM") received an application (RPR No. TB21-2), which was reviewed and approved under the Authority's transactional analysis process, to dispose of Authority land where the TJ is located. Based on discussions with NYSDOT, it was determined that the TJ will be used as a means of ingress/egress to provide access to the underlying TB21-2 disposal property via Camp Road. The Transfer of Jurisdiction was intended to occur as part of the 2017 Authority project (TAB 17-30) for the reconstruction of Interchange 57 but was never completed.

APPROVAL PROCESS:

A transactional analysis conducted by Authority staff resulted in approved recommendations to proceed with the proposed TJ. ORPM recommended that no monetary consideration be given by NYSDOT to the Authority for the proposed TJ.

FIRST DEPUTY GENERAL COUNSEL'S CERTIFICATION:

In my capacity as First Deputy General Counsel, I hereby advise that the Board grant its consent to the proposed TJ to NYSDOT in accordance with the foregoing findings and recommendations. Further, I advise that the proposed transaction complies with all applicable provisions of law and with the Thruway Real Property Management Policy.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. \_\_\_\_\_

DECLARING FULL JURISDICTION OVER TITLE TO REAL PROPERTY REFERENCE NO. TB22-4, LOCATED IN THE TOWN OF HAMBURG AND COUNTY OF ERIE, AS NOT NECESSARY FOR THE AUTHORITY'S CORPORATE PURPOSES; AND CONSENTING TO THE TRANSFER OF SUCH JURISDICTION TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

---

RESOLVED, that full jurisdiction over title in and to certain real property designated as Real Property Reference No. TB22-4 (hereinafter, "Subject Property") and shown on, and described in Exhibit I attached hereto and made a part hereof, is hereby found to be not necessary for the Authority's corporate purposes; and be it further

RESOLVED, that, pursuant to New York Public Lands Law § 3, subdivision 4, and without any monetary consideration to be given by any party to the other, a transfer of full jurisdiction over title in and to Real Property Reference No. TB22-4 (hereinafter, "TJ") from the Authority to the New York State Department of Transportation be, and the same hereby is, authorized; and be it further

RESOLVED, that the Executive Director, Chief Engineer, Chief Financial Officer, Director of Maintenance and Operations and General Counsel be, and the same hereby are, authorized to take all steps necessary to implement this board action; and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



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First Deputy General Counsel

RECOMMENDATION APPROVED:



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Interim Executive Director



Exhibit I

DRAFT

NEW YORK STATE  
THRUWAY AUTHORITY  
TRANSFER OF JURISDICTION MAP  
DOT PIN 8873.1 NYS.A 252#03

MAP NO. 1134-T  
PARCEL NOS. 1136, 1137  
SHEET 1 OF 8 SHEETS

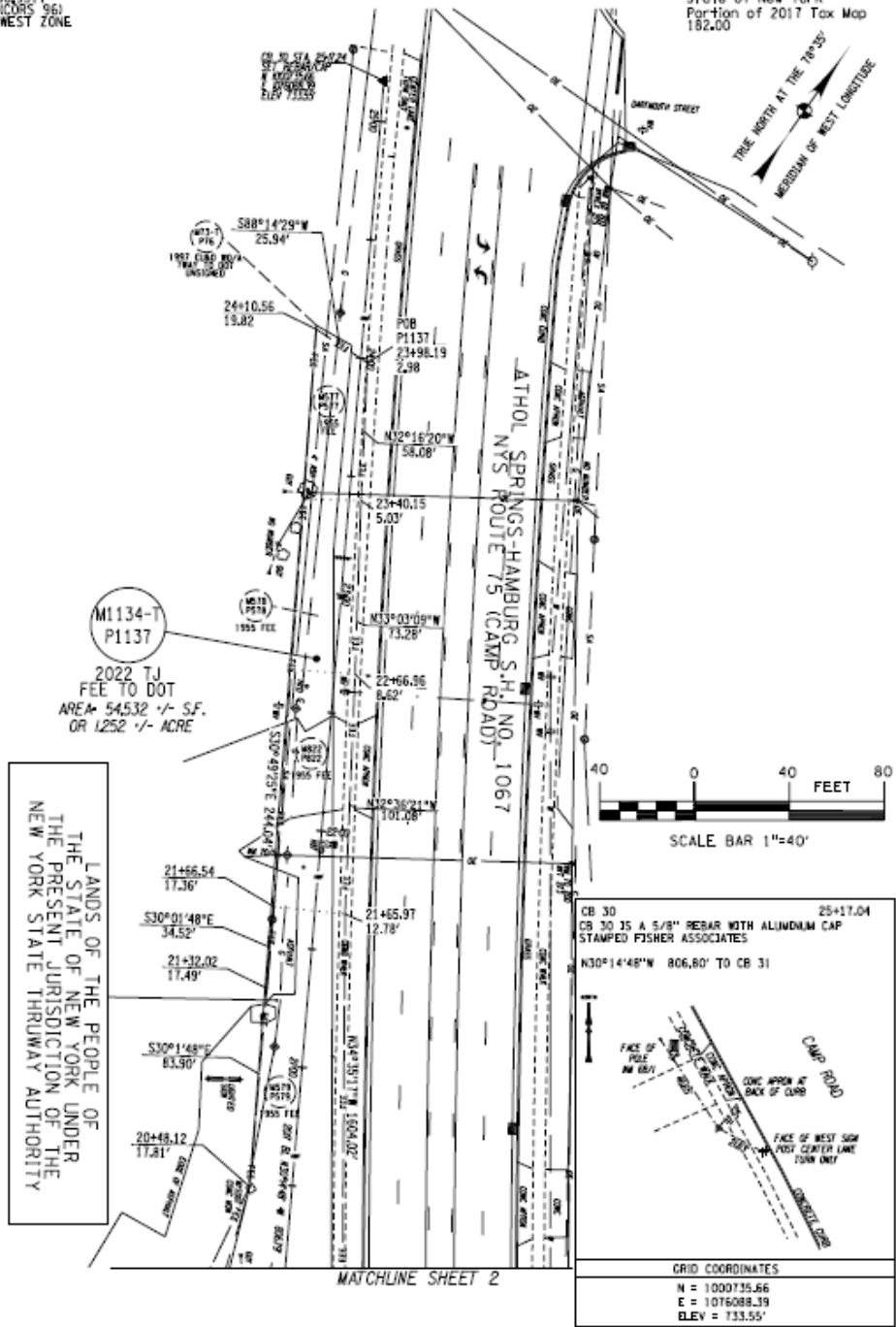
NEW YORK STATE THRUWAY  
ERIE SECTION SUBDIVISION E-8-A

Parcel Locator Points  
Parcel No. 1136  
N:998561.5100  
E:1071491.3282  
Parcel No. 1137  
N:1000634.3211  
E:1076150.9311  
NAD 83 ZONE 960  
NAD83 WEST ZONE

LANDS OF THE PEOPLE OF THE STATE OF NEW YORK  
UNDER THE PRESENT JURISDICTION OF THE  
NEW YORK STATE THRUWAY AUTHORITY TO BE TRANSFERRED  
TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

PARCEL SUMMARY  
Type: TRANSFER JURISDICTION

Town of HAMBURG  
County of ERIE  
State of New York  
Portion of 2017 Tax Map  
182.00



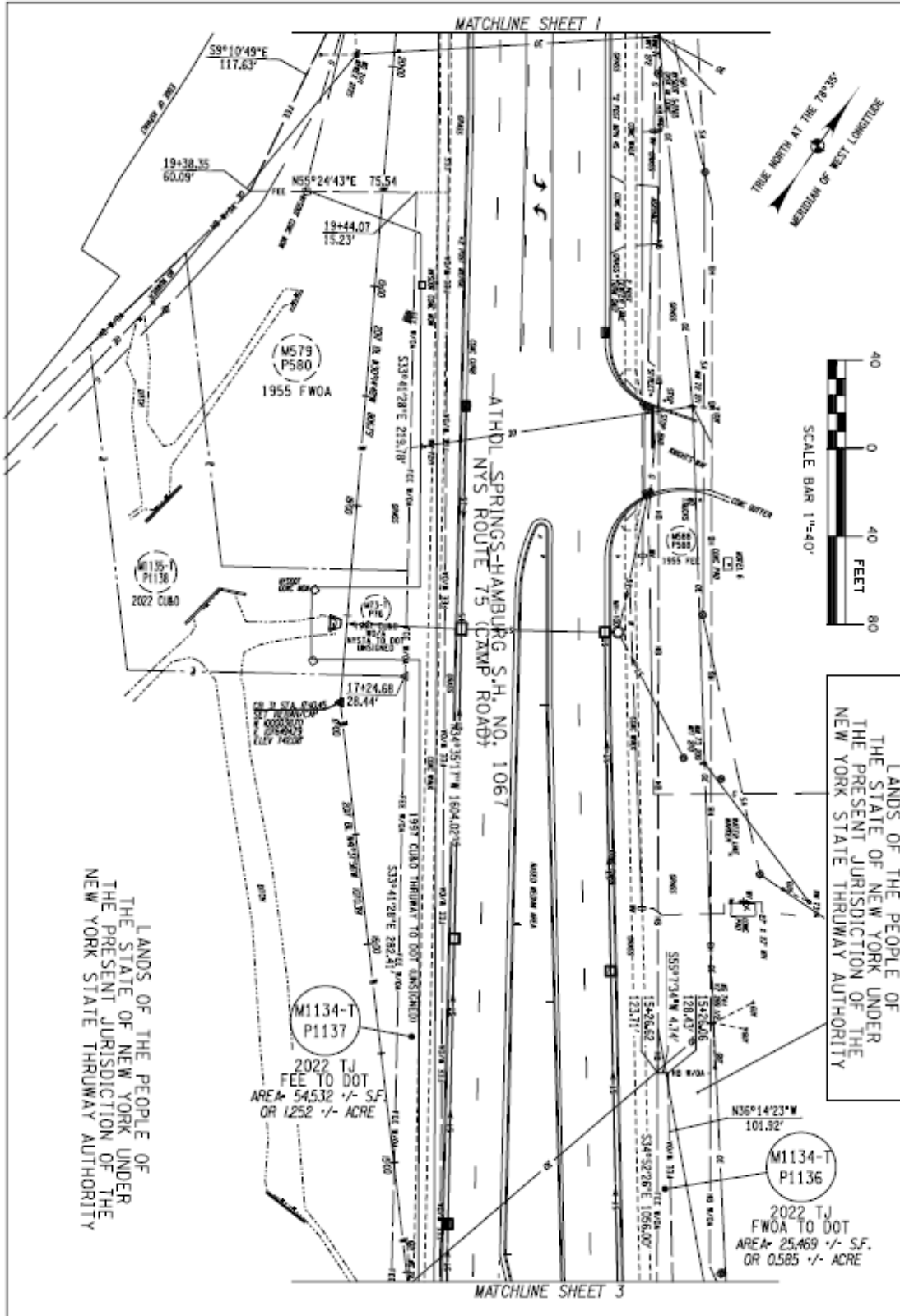
Meeting No. 757

Item 15

Appendix O

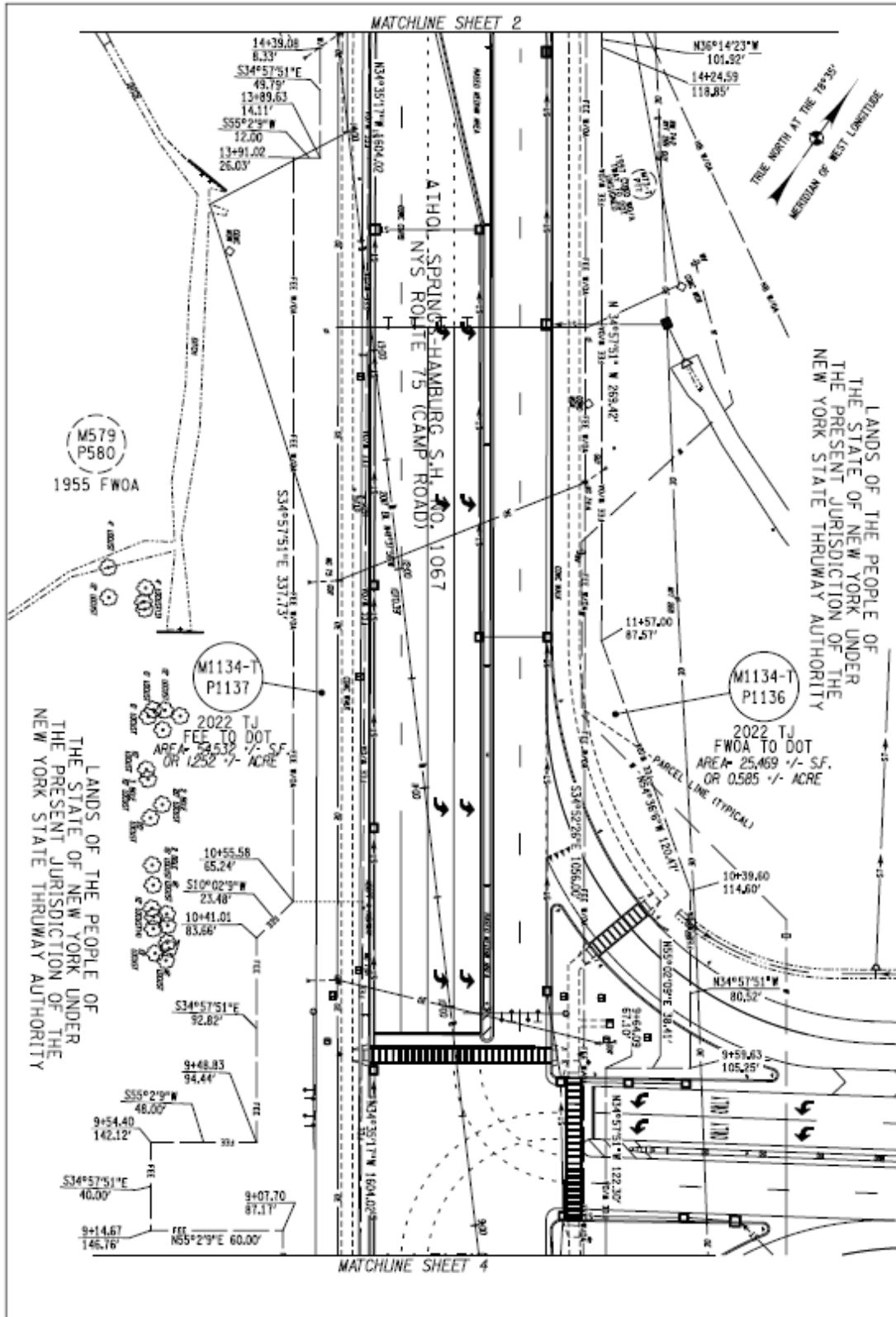
NEW YORK STATE  
THRUWAY AUTHORITY  
TRANSFER OF JURISDICTION MAP  
DOT PIN B873.1 NYSTA B52803

MAP NO. 1134-T  
PARCEL NOS. 1136, 1137  
SHEET 2 OF 8 SHEETS



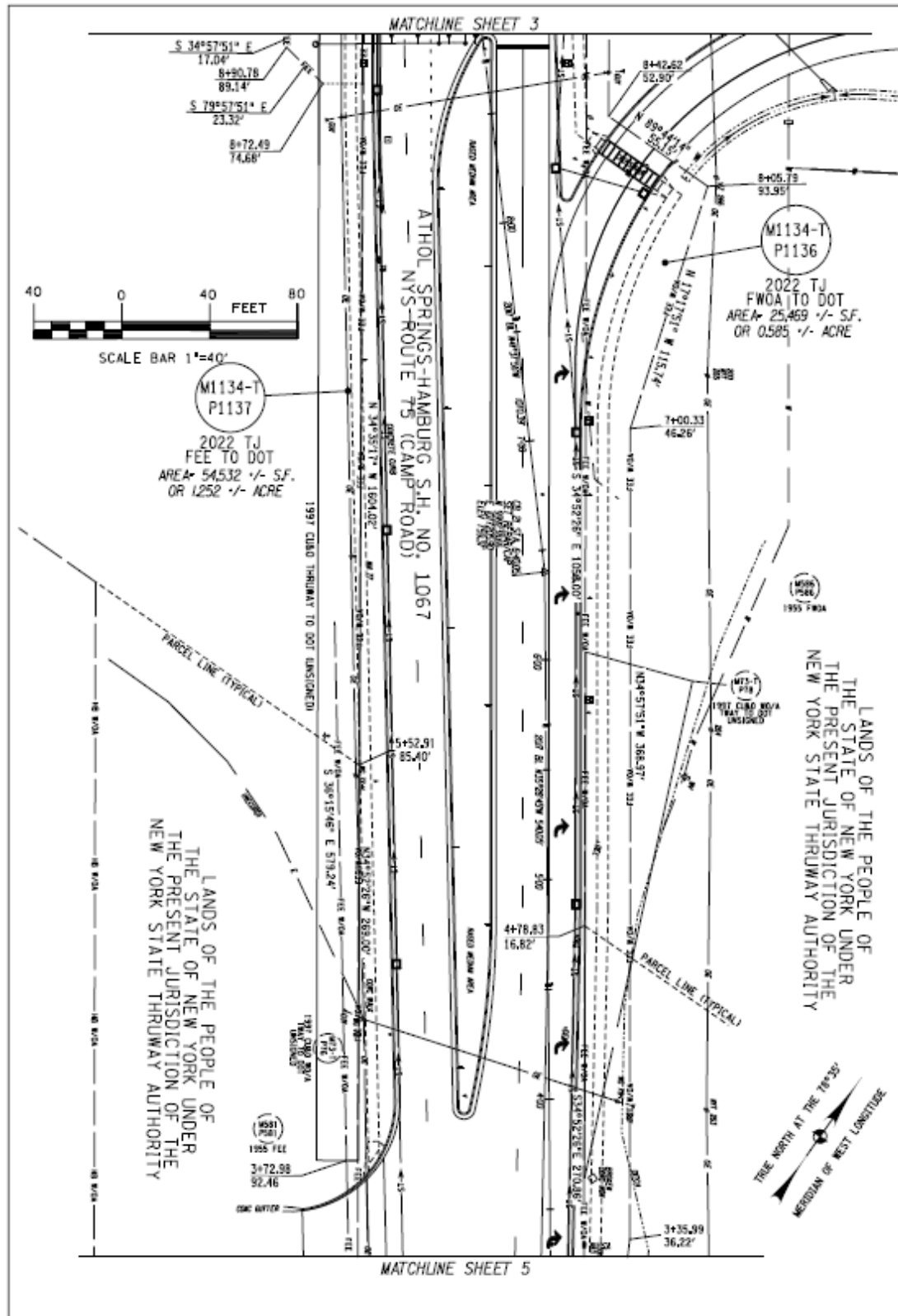
NEW YORK STATE  
THRUWAY AUTHORITY  
TRANSFER OF JURISDICTION MAP  
NEW YORK STATE THRUWAY  
ERIE SECTION SUBDIVISION E-8-A  
DOT PD# B873.1 NYSTA B52803

MAP NO. 1134-T  
PARCEL NOS. 1136, 1137  
SHEET 3 OF 8 SHEETS



Appendix O

MAP NO. 1134-T  
PARCEL NOS. 1136, 1137  
SHEET 4 OF 8 SHEETS

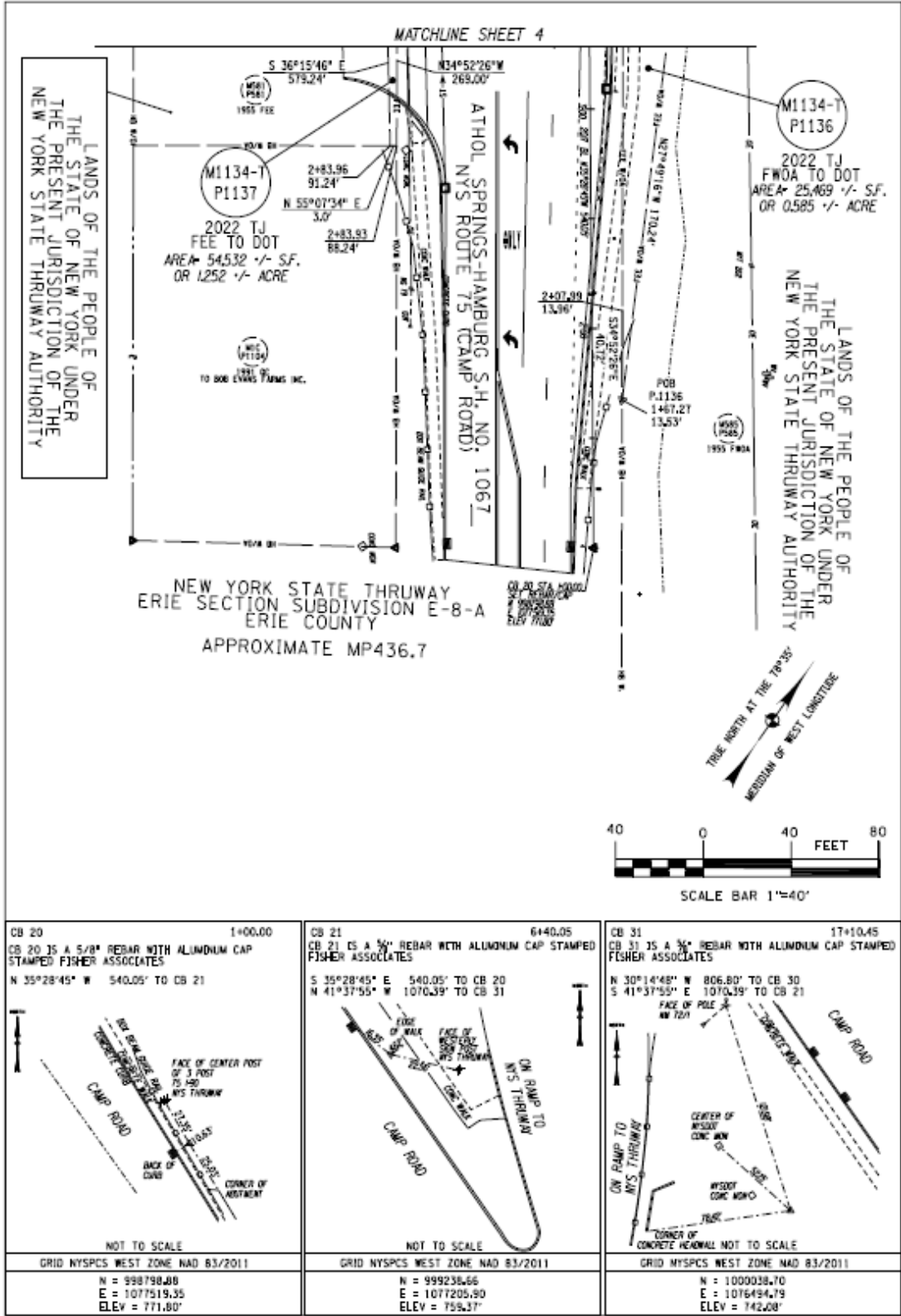


NEW YORK STATE  
THRUWAY AUTHORITY  
TRANSFER OF JURISDICTION MAP

NEW YORK STATE THRUWAY  
ERIE SECTION SUBDIVISION E-8-A

DOT PDN B873.1 NYSTA B52803

MAP NO. 1134-T  
PARCEL NOS. 1136, 1137  
SHEET 5 OF 8 SHEETS



TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: James K. Konstalid  
Director of Maintenance and Operations

SUBJECT: Authorizing the Interim Executive Director to Execute an Agreement with Geocomp Corporation to Continue to Provide the Thruway Authority with a Structural Health Monitoring System for the Governor Mario M. Cuomo Bridge

In accordance with the Authority's Procurement Contracts Policy, Board authorization is requested to negotiate and execute an Agreement with Geocomp Corporation to continue to provide a structural health monitoring system to the Authority.

The Authority maintains the Governor Mario M. Cuomo Bridge (GMMC Bridge). Geocomp Corporation (Geocomp) was chosen by the GMMC Bridge Design-Builder, Tappan Zee Constructors, LLC (TZC), to provide the software for the structural health monitoring system for the GMMC Bridge. Geocomp has been selected as a sole source selection because their systems were already incorporated into the GMMC Bridge by TZC, and their technology has been integrated with multiple other systems on the GMMC Bridge. Geocomp's structural health monitoring systems are a proprietary design. Contracting with an alternative entity would result in having to replace the system entirely, dramatically increasing the costs involved to maintain the systems and software.

These systems monitor the health of the deck, stay cables, pier caps, expansion joints, bearings, and other bridge hardware. The data is saved and archived in such a way that it can also be instrumental in providing engineers with the capacity for enhanced decision making both now and in the future regarding best practices for bridges across the mainline. There are also multiple weather stations that are critical to monitoring wind speed and temperatures. The weather station is configured to send selected data to dashboards at Tarrytown Operations Center (TOC) and the

Thruway Statewide Operations Center (TSOC) and allows the operations staff to make critical safety decisions such as traffic speed, deck maintenance, and which vehicles may or may not be safely allowed to cross the bridge at any given moment.

The services required are maintaining the current application including data brokering with the Kapsch Dynac interface used by TOC, helpdesk services, assistance with various server maintenance tasks, integration with bridge hardware, and annual remote system and software refresher training for NYSTA staff.

The project team recommends that the Board authorize the Interim Executive Director to execute an Agreement with Geocomp on terms in the best interests of the Authority to allow Geocomp to continue to support the structural health systems on the GMMC Bridge.

The Authority's cost for this contract with Geocomp including software and maintenance services will not exceed \$339,786 over a period of 5 years, which includes a base term of 3 years and two (2) additional one (1) year terms. The Department of Maintenance and Operations has sufficient funding in the 2023 Budget for this Agreement.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO  
EXECUTE AN AGREEMENT WITH GEOCOMP  
CORPORATION TO CONTINUE TO PROVIDE THE  
THRUWAY AUTHORITY WITH A STRUCTURAL HEALTH  
MONITORING SYSTEM FOR THE GOVERNOR MARIO M.  
CUOMO BRIDGE

---

RESOLVED, that the Executive Director or his designee be, and hereby is, authorized to execute an Agreement with Geocomp Corporation to provide a structural health monitoring system for the Governor Mario M. Cuomo Bridge and will commence upon approval by the New York State Office of the State Comptroller and shall terminate three (3) years after commencement. The Authority shall have the option, in its sole discretion, to renew this Agreement for two (2) additional one (1) year terms; and be it further

RESOLVED, that the Agreement shall be for a term of five (5) years, for a maximum amount payable of approximately \$339,786; and be it further

RESOLVED, that the Agreement shall be on such other terms and conditions as the Interim Executive Director, in consultation with the Department of Maintenance and Operations and General Counsel, determines to be in the best interest of the Authority; and be it further

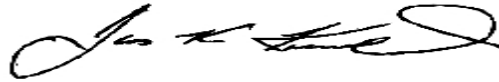
RESOLVED, that the Interim Executive Director or his designee, shall have the authority to exercise all powers reserved to the Authority under the provisions of the Agreement, manage and administer the Agreement, amend provisions of the Agreement consistent with the terms of this item and other Board



authorizations and suspend or terminate the Agreement in the best interests of the Authority; and be it further

RESOLVED, that the Chief Financial Officer be, and hereby is, authorized to charge expenditures for services rendered under such Agreement to the appropriate funds provided therefore, subject to reallocation and adjustment as determined by final audit of charges; and be it further

RESOLVED, that this resolution be incorporated in full in the minutes of this meeting.



Director of Maintenance and Operations

RECOMMENDATION APPROVED:



Interim Executive Director

Meeting No. 757  
Item 17  
Appendix Q

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: James K. Konstalid  
Director of Maintenance and Operations

SUBJECT: Authorizing the Interim Executive Director to Execute a Second Amendment to Agreement C010601 with Mission Critical Partners, LLC for Tiburon CAD/RMS System Support

Board approval is being sought to waive the competitive procedure for the Interim Executive Director to negotiate and execute a single source Agreement with Mission Critical Partners, LLC (“MCP”) to provide the Authority with maintenance for the Tiburon Computer-Aided Dispatch and Records Management System (“CAD/RMS”).

CAD/RMS is a critical system used by the Authority’s Statewide Operation Center to perform incident management for vehicles traveling on the New York State Thruway. As the contractor of record for maintaining CAD/RMS, MCP is the most suitable vendor to maintain this system for the Authority and is best positioned to provide the required services in both a timely and economical manner.

In 2021, a single source contract, #C010601, was awarded to MCP to provide consulting services for maintenance of CAD/RMS. This contract had a one (1) year term which expired on August 11, 2022. In 2022, a first amendment was awarded to extend the term for an additional 1-year period, increase the monetary cap by \$30,300.00 to a new cap of \$59,700.00, and include the current Appendix A and the Business in Russia Certification. This second amendment seeks to extend the term for an additional 1-year period, add \$12,405 in on-demand services for system upgrades, and increase the monetary cap by \$43,605 to a new cap of \$103,305.00.

.

In accordance with Purchasing Policy 25-5-01, Section IV, Waiver of Competition, the Board may waive the use of the competitive procedure for procurement contracts when there is a condition that exists that makes it impractical or not in the Authority's best interest to seek competition due to the specialized nature of the goods or services required, or there is a historical relationship, the continuation of which is in the best interest of the Authority. Given the ongoing need to maintain CAD/RMS and the historical and beneficial relationship between MCP and the Authority involving these specialized services, waiving competition is in the best interest of the Authority.

Sufficient funding is included in the 2023 Budget for this project.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO EXECUTE A SECOND AMENDMENT TO AGREEMENT C010601 WITH MISSION CRITICAL PARTNERS, LLC. FOR TIBURON CAD/RMS SYSTEM SUPPORT

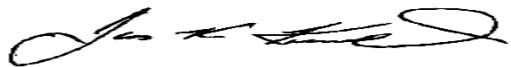
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RESOLVED, that the competitive procedures required by the Thruway Authority Procurement Contracts Policy are waived and the Interim Executive Director be, and hereby is, authorized to negotiate and execute a second amendment to the Agreement with Mission Critical Partners, LLC to provide maintenance for the Authority's Tiburon CAD/RMS System; and be it further

RESOLVED, that such second amendment to the Agreement will be for a term of one (1) year, shall increase the maximum amount payable of the Agreement to \$103,305.00, and shall be on such other terms and conditions as the Interim Executive Director and General Counsel determine to be in the best interest of the Authority; and be it further

RESOLVED, that Chief Financial Officer be, and hereby is, authorized to charge expenditures for services rendered pursuant to such Agreement to the Department of Maintenance and Operations Budget; and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



Director of Maintenance and Operations

RECOMMENDATION APPROVED:



Interim Executive Director

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Diana Nebiolo  
Director of Revenue Management

SUBJECT: Authorizing the Interim Executive Director to Execute an E-ZPass Interoperability (EZIOP) HUB Third-Party Beneficiary Agreement and to Pay Annual E-ZPass Interagency (IAG) Membership Dues

Since the early 1990s, the Authority has been an active member of the E-ZPass Interagency Group (IAG), a consortium of 34-member tolling agencies/authorities in 17 states that manage the E-ZPass interoperable electronic toll collection system. The E-ZPass Program allows for seamless customer travel across the participating states. The IAG is continuously striving to utilize and employ best practices related to cashless tolling technologies.

Previous Board action granted the Interim Executive Director authority to execute an E-ZPass IAG Operating Agreement which established the requisite methodologies for the day-to-day processing of toll transactions among the IAG Members' customer service centers.

In order to meet the continuously evolving cashless tolling environment and to provide for the interoperability of electronic toll collection programs, the Triborough Bridge and Tunnel Authority (TBTA), on behalf of the IAG members, issued a Request for Proposal seeking proposals for a vendor to design, build, operate and maintain an E-ZPass Interoperability (EZIOP) Hub.

The EZIOP Hub will allow the Authority and the IAG member entities to continue to communicate efficiently with each other and to compete effectively in the changing electronic tolling marketplace. This approach aligns with the long-term strategic direction of E-ZPass and conforms with its founding cornerstones of operational excellence and, further, is necessary to continue to support E-ZPass Operations. Specifically, the EZIOP Hub will take advantage of advances in the cashless tolling industry to:

- 1) Improve the current IAG Toll Reciprocity architecture and processes by serving as a central point of communication to and from all other Hub Members and other future entities, including regional Hubs for all toll agencies outside of the E-ZPass system.

- 2) Provide a robust, flexible, and easily scalable platform upon which evolving IAG business needs can be addressed.
- 3) Enable more efficient and timely processing of transactions, file transfers, and reconciliations, and continue to grow the IAG membership; and
- 4) Access nationwide customers and guarantee toll payments through interoperability with other regional hubs, thereby facilitating National Toll Interoperability.

Electronic Transaction Consultants (ETC) was the selected contractor to design, build, deploy, operate and maintain the EZIOP Hub. The duration of the EZIOP Hub Contract with ETC is for 10 years; with one three-year option. The EZIOP HUB Third-Party Beneficiary Agreement between the TBTA and its IAG members provides that those IAG members are beneficiaries of the HUB contract and TBTA may act for the benefit of the IAG members. It also provides a mechanism for an IAG member to request specific services as well as pay for the costs of the HUB. The costs for the HUB will be shared among the participating members through annual HUB assessments. The Department of Revenue Management has sufficient funds in the 2023 Budget for its share of the implementation costs of the design of the system. The Department of Revenue Management will allocate funds in the future budget years to continue funding this resource not to exceed \$175,000 annually.

Lastly, to maintain its participation in this best in class IAG consortium of tolling partners, the Authority must continue to pay annual IAG dues, presently set at \$80,000, but are not expected to exceed \$100,000 annually.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO EXECUTE AN E-ZPASS INTEROPERABILITY (EZIOP) HUB THIRD-PARTY BENEFICIARY AGREEMENT AND TO PAY ANNUAL E-ZPASS INTERAGENCY (IAG) MEMBERSHIP DUES

---

RESOLVED, that the Interim Executive Director be, and he hereby is, authorized to execute an E-ZPass Interoperability (EZIOP) HUB Third-Party Beneficiary Agreement (Agreement), upon such terms and conditions as are consistent with this item; and be it further

RESOLVED, that the Interim Executive Director be and hereby is, authorized to execute amendments to such Agreement which the Interim Executive Director, in consultation with the General Counsel, determine to be in the best interests of the Authority; and be it further

RESOLVED, that the Authority's Chief Financial Officer be, and hereby is, authorized to charge expenditures pursuant to such Agreement, not to exceed \$175,000 annually, to the appropriate fund, and to pay annual E-ZPass Interagency (IAG) membership dues not to exceed \$100,000 annually; and be it further

RESOLVED, that the Interim Executive Director or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the Agreement, manage and administer the Agreement, amend the provisions of the Agreement consistent with the terms of this item and other Board authorizations

Meeting No. 757  
Item 18  
Appendix R

and suspend or terminate the Agreement in the best interests of the Authority; and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



Director of Revenue Management

RECOMMENDATION APPROVED:



Interim Executive Director



DATE: March 27, 2023

RESOLVED, that the Chief Engineer or his designee, be, and hereby is, authorized to execute agreement D214918 with Atlantic Testing Laboratories, Limited, as described in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum

Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2023 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



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Chief Engineer

RECOMMENDATION APPROVED:



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Interim Executive Director

Meeting No. 757

Item 19

Appendix S

EXHIBIT A  
Agreements for Engineering Services

<b>D No./Agreement/ Designation Date</b>	<b>Firm/Address</b>	<b>MAP/ Contracts Program Item No.</b>	<b>Term of Agreement</b>	<b>M/WBE and SDVOB Firms/Goals</b>
D214918, Term Agreement for Material Testing and Inspection- Albany and Syracuse Divisions	Atlantic Testing Laboratories, Limited 22 Corporate Drive Clifton Park, NY 12065	\$500,000	Two years, with an option for the Authority to extend for (1) additional one (1) year term	N/A- Approved by Compliance due to availability challenges

MAP = Maximum Amount Payable

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Richard W. Lee, P.E.  
Chief Engineer

SUBJECT: Authorizing the Execution of Agreement D214919; with, Atlantic Testing Laboratories, Limited

In accordance with Authority policy, Atlantic Testing Laboratories, Limited, has been designated to provide services through agreement D214919; as presented in Exhibit A. Board authorization is requested to execute an agreement with Atlantic Testing Laboratories, Limited for Material Testing and Inspection Support Services in the Buffalo Division. Sufficient funding for agreement D214919 is provided for in the 2023- 2027 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF AGREEMENT D214919  
WITH ATLANTIC TESTING LABORATORIES, LIMITED.

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement (D214919) with Atlantic Testing Laboratories, Limited as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the

General Counsel, determines to be in the best interest of the Authority, and be it further

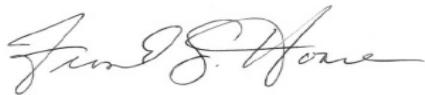
RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2023 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



Chief Engineer

RECOMMENDATION APPROVED:



Interim Executive Director

Meeting No. 757

Item 20

Appendix T

EXHIBIT A  
Agreements for Engineering Services

<b>D No./Agreement/ Designation Date</b>	<b>Firm/Address</b>	<b>MAP/ Contracts Program Item No.</b>	<b>Term of Agreement</b>	<b>M/WBE and SDVOB Firms/Goals</b>
D214919, Term Agreement for Material Testing and Inspection- Buffalo Division	Atlantic Testing Laboratories, Limited 22 Corporate Drive Clifton Park, NY 12065	\$500,000	Two years, with an option for the Authority to extend for (1) additional one (1) year term	N/A- Approved by Compliance due to availability challenges

MAP = Maximum Amount Payable

SUBJECT: Authorizing the Execution of Supplemental Agreement No. 1 to Engineering Agreement D214776

At its May 12th, 2020 meeting (Meeting No. 744, Resolution No. 6251), the Authority Board authorized the Chief Engineer to execute an agreement with Greenman-Pederson, Inc. to perform Design-Build Project Support Services Statewide for the Thruway Service Area modernization project. The value of this term agreement was established at \$5,000,000.

Based upon Greenman-Pederson, Inc.'s performance on this complicated on-going project, Authority staff recommends that the agreement be supplemented so that Greenman-Pederson, Inc. can continue to provide necessary Design-Build project oversight.

At this time, Board authorization is requested to execute Supplemental Agreement No. 1 in the amount of \$ 4,200,000 thus revising the MAP to \$9,200,000. Sufficient authorization is included in the 2023 Contracts Program, due to the deferment of Item #B469.1.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF SUPPLEMENTAL  
AGREEMENT NO. 1 TO ENGINEERING AGREEMENT D214776

RESOLVED, that the Chief Engineer be, and he hereby is, authorized to execute Supplemental Agreement No. 1 to D214776 with Greenman-Pederson, Inc. 80 Wolf Road, #300, Albany, NY 12205, for an additional sum of \$4,200,000, and such Supplemental Agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the revised Maximum Amount Payable for Agreement D214776 be \$9,200,000, and be it further

RESOLVED, that sufficient authorization is included in the 2023 Contracts Program for Supplemental Agreement D214776, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the Supplemental Agreement, manage and



administer the Supplemental Agreement, amend the provisions of the Supplemental Agreement consistent with the terms of this Item and in accordance with the 2023 Contracts Program Resolution and other Board authorizations, and suspend or terminate the Supplemental Agreement in the best interest of the Authority, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



Chief Engineer

RECOMMENDATION APPROVED:



Interim Executive Director

Meeting No. 757  
Item 22  
Appendix V

TO: The Thruway Authority Board DATE: March 27, 2023

FROM: Richard W. Lee, P.E.  
Chief Engineer

SUBJECT: Authorizing Additional Funding for TANY 22-36A/ D214885, Replacement of a Deteriorated Roof at the Harriman Maintenance Section, MP 45.20 in the Town of Harriman, Orange County in the New York Division

TANY 22-36A/D214885, Replacement of a Deteriorated Roof at the Harriman Maintenance Section at MP 45.20 in the Town of Harriman, Orange County, in the New York Division was let on November 9, 2022. The accepted low bid of \$613,800.00 was submitted by Titan Roofing, Inc.

As presented in the attached additional funds memorandum (Exhibit A), at this time, an additional \$213,800.00 is needed to complete the project. A majority of the cost increase is due to several economic factors including: supply chain issues, rising prices, labor shortages and increases in wages.

The additional funding to complete the project is available from project deferments and bid savings from the 2023 Contracts Program. Board authorization is requested to approve an additional \$213,800.00 for TA 22-36A/ D214885, thus revising the contract value to \$613,800.00.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING ADDITIONAL FUNDING FOR TANY 22-36A/  
D214885 REPLACEMENT OF A DETERIORATED ROOF AT  
THE HARRIMAN MAINTENANCE SECTION AT MP 45.20 IN  
THE TOWN OF HARRIMAN, ORANGE COUNTY, IN THE  
NEW YORK DIVISION

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RESOLVED, that an additional \$213,800.00 (revising the total contract value to \$613,800.00) for TANY 20-36A/D214885, Replacement of a Deteriorated Roof at the Harriman Maintenance Section at MP 45.20 in the Town of Harriman, Orange County, in the New York Division be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TANY 22-36A/D214885 from project deferments and bid savings from the 2023 Contracts Program, and be it further

RESOLVED, that the Chief Engineer or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the contract, manage and administer the

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contract, amend the provisions of the contract consistent with the terms of this Item and other Board authorizations and suspend or terminate the contract in the best interests of the Authority, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



\_\_\_\_\_  
Chief Engineer

RECOMMENDATION APPROVED:



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Interim Executive Director

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TO: The Thruway Authority Board  
FROM: Richard W. Lee, P.E.  
Chief Engineer

DATE: March 27, 2023

SUBJECT: Authorizing Funding for H302.1; TAA 23-19/ D214924, Albany Division MP 180 to MP 197.9 Pavement Resurfacing and Repairs at Various Locations

TAA 23-19/D214924, I-90/ Albany Division MP 180 to MP 197.9 Pavement Resurfacing and Repairs at Various Locations, is being added to the 2023-2027 Capital Program as project H302.1. A budget amount of \$7,500,000 has been determined to be appropriate to complete the project.

This new project is required to address pavement deterioration and will restore the pavement to appropriate driving standards and address safety and reliability concerns.

The funding to complete TAA 23-19/D214924, I-90/ Albany Division MP 180 to MP 197.9 is available from project deferments and bid savings from the 2023 Contracts Program. Board authorization is requested to approve a new Capital Program Item in the amount of \$7,500,000 for TAA 23-19/D214924/ H 302.1. The approved Capital Program allocation for 2023 remains the same.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING FUNDING FOR TAA 23-19/ D214924, MP 180  
TO MP 197.9 PAVEMENT RESURFACING AND REPAIRS AT  
VARIOUS LOCATIONS

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RESOLVED, that an additional Item (H302.1) in the amount  
of \$7,500,000 be added to the 2023 Contracts Program Albany  
Division MP 180 to MP 197.9 Pavement Resurfacing and Repairs  
at Various Locations, and the same hereby is authorized, and be it  
further

RESOLVED, that the funding be allocated to H302.1; TAA  
23-19/D214924 from project deferments and bid savings from the  
2023 Contracts Program, and be it further

RESOLVED, that the same authorizations that are contained  
in the 2023 Contracts Program shall be applicable to H302.1 and be  
it further

RESOLVED, that this resolution be incorporated in the  
minutes of this meeting.

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Appendix W



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Chief Engineer

RECOMMENDATION APPROVED:



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Interim Executive Director

TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Richard W. Lee, P.E.  
Chief Engineer

SUBJECT: Authorizing the Interim Executive Director or Designee to Execute an Agreement with the American Association of State Highway Officials, Inc. for a Five-Year Contract (C010672) for Licensing and Implementation of AASHTOWare Software Systems

Board authorization is requested for the Interim Executive Director or his designee to execute the single source non-engineering personal services contract C010672 with the American Association of State Highway and Transportation Officials, Inc. (AASHTO) for AASHTOWare Project and Bridge Rating and Design software packages, in addition to services associated with both, for a five-year term commencing on July 1, 2022 in the amount of \$2,300,000. Board approval is also requested for waiver of competition for C010672.

This agreement would include the licensing of AASHTOWare Project and Bridge Rating and Design software suite, in addition to associated services. The licensing of the software is through the use of AASHTO's standard agreement. The Authority has been using these software packages for over fifteen years. The AASHTOWare software suite replaced the Authority's construction contract bidding and award system in 2007. Prior to selecting the AASHTO software, a team comprised of staff from the Departments of Engineering and Information Technology evaluated several other software packages and concluded that Trns-port was the best solution for the Authority.

The following are some of the points that factored into this decision of seeking a single source contract through AASHTO:



- The AASHTOWare suite of software is exclusively licensed through AASHTO. Only through an agreement with AASHTO can an agency license and use the AASHTOWare suite of products.
- AASHTO is responsible for maintaining and enhancing the AASHTOWare products.
- AASHTO has a broad knowledge of, and experience with, transportation agency practices and procedures regarding pre-construction and construction management contract processing. AASHTOWare Project software is used by 40 state highway agencies, including New York State Department of Transportation (NYSDOT).
- Concerning AASHTOWare Bridge Rating, this system is used to produce load ratings, which are a required element of the biennial bridge inspection program. As required by law, load ratings are completed and sent to the NYSDOT, which is also using the same software.

An exemption from pre-advertising in the NYS Contract Reporter was obtained from the Office of the State Comptroller for the Agreement. In accordance with statute, a notice will be published in the NYS Contract Reporter regarding the intended award of the new Agreement and the reason for exemption.

Sufficient funds have been provided for in the 2023 Budget. Funding for 2024 through June 2027 will be included in the appropriate budgets. Finally, the Non-Engineering Personal Services Committee has reviewed and approved the selection of AASHTO's software products.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR OR  
DESIGNEE TO EXECUTE AN AGREEMENT WITH THE  
AMERICAN ASSOCIATION OF STATE HIGHWAY  
OFFICIALS, INC. FOR A FIVE-YEAR CONTRACT (C010672)  
FOR LICENSING AND IMPLEMENTATION OF  
AASHTOWARE SOFTWARE SYSTEMS

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RESOLVED, that the Interim Executive Director or his designee  
be, and hereby is, authorized to execute contract C010672 with  
AASHTO with a maximum amount payable of \$2,300,000 for a  
five-year period from July 1, 2022 to June 30, 2027 for the purpose  
of licensing and updating AASHTOWare software and  
completing associated services, and be it further

RESOLVED, that in accordance with the Authority's  
Procurement Policy 25-5-01, the Board hereby waives the use of  
competitive procedures for the procurement of these goods and  
services, and be it further


RESOLVED, that the Board waives the Authority's  
Inventions Policy for the purpose of the agreement with  
AASHTO, and be it further

RESOLVED, that sufficient funds have been provided for  
in the 2023 Budget and sufficient funding will be included in  
future Budgets, and be it further

RESOLVED, that the Interim Executive Director or his  
designees shall have the authority to exercise all powers reserved

to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item, and suspend or terminate the agreement in the best interest of the Authority, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting.



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Chief Engineer

RECOMMENDATION APPROVED:



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Interim Executive Director

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TO: The Thruway Authority Board

DATE: March 27, 2023

FROM: Frank G. Hoare  
Interim Executive Director

SUBJECT: Report on Procurement Contracts and Other Agreements Up to \$300,000  
Executed by the Executive Director During the Period July 1, 2022 Through  
December 31, 2022

Pursuant to Resolution No. 6396 adopted at Meeting No. 756 held on December 5, 2021, the Board adopted the Procurement Contracts Policy which authorizes the Executive Director to: execute any procurement contract, including amendments thereto, in an amount not to exceed \$300,000 provided that a Procurement Contract for professional services has a term of one year or less; increase by up to \$300,000 any procurement contract previously approved by the Board; extend any procurement contract for a period in excess of one year provided such contract or extension does not exceed \$300,000 provided that a Procurement Contract for professional services has a term of one year or less; and waive the use of a competitive procedure for certain procurement contracts. The Procurement Contracts Policy requires that the Executive Director report to the Board quarterly on all Procurement Contracts or Amendments thereto that have been executed pursuant to such authority.

Pursuant to this Resolution, attached hereto as Exhibit I is a list of the Procurement Contracts and or Amendments thereto executed by the Executive Director pursuant to the Authority in such Resolutions during the time period July 1, 2022 through December 31, 2022.

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RECOMMENDATION:

It is recommended that the Boards receive these Procurement Contracts and Other Agreements Report and file them for the public record.

A handwritten signature in cursive script, appearing to read "Jim D. Howe".

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Interim Executive Director

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EXHIBIT I

THRUWAY PERSONAL SERVICE CONTRACTS UP TO \$300,000  
FOR THE PERIOD July 1, 2022 – December 31, 2022

Date	Amount	Contractor	Amendment No.	MWBE Goal %	SDVOBE Goal %	Purpose
10/4/22	\$36,033.00	Fugro USA Land, Inc. (Contract #C010671)	N/A	0	0	iVision 5 Hosting Services
10/4/22	\$59,700.00	Mission Critical Partners, LLC (Contract #C010601)	1	0	0	Tiburon CAD/RMS System Support - Extend for 1 year, adding \$30,300.00
9/30/22	\$174,634.56	NYSTEC (Contract #PN69178)	N/A	0	0	Assistance with development of Radio Upgrade RFP. Purchase off of OGS Centralized Contract
12/28/22	\$35,000.00	John Kowalski (Contract #C010693)	N/A	0	0	Consulting Services
12/15/22	\$35,000.00	Kristine Edwards (Contract #C010691)	N/A	0	0	Consulting Services
10/25/22	\$27,000.00	Town of Verona (Contract #C010690)	N/A	0	0	Reimbursement Agreement-Sewer Connection Assessment