



NEW YORK
STATE OF
OPPORTUNITY™

**Thruway
Authority**



**GOVERNOR
MARIO M. CUOMO
BRIDGE**

BOARD OF DIRECTORS MEETING

MARCH 28, 2022

ALBANY, NEW YORK



NEW YORK
STATE OF
OPPORTUNITY™

**Thruway
Authority**

BOARD MEETING AGENDA

Meeting Number 753

March 28, 2022

Albany, New York

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. 752
2. Review and Approval of the December 2021 Financial Report
3. Review and Approval of the Authority's Annual Investment Report
4. Annual Report of the 2021 Procurement Contracts
5. Report of BST & Co. CPAs, 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
6. Review and Approval of Real Property Management Policy, Personal Property Disposal Policy, Procurement Contracts Policy, Whistleblower Policy, and Code of Ethics Policy

C. Action Items

7. Authorizing a Contract with Joseph Bress to assist in negotiations of Authority Labor Agreements
8. Authorizing the Execution of Supplemental Agreement No. 2 to Engineering Agreement D214695 with Stantec Consulting Services, Inc.
9. Authorizing the Executive Director to Execute an Agreement C010633 with Precision Environmental Services, Inc. for Soil Remediation Services at the Verona Maintenance Facility
10. Authorizing Additional Funding for TAGS 22-5/D214853, Garden State Parkway Connector (MP GS0.00 to MP GS2.40): Pavement Resurfacing
11. Authorizing Additional Funding for TANE 22-22B/ D214321, North Avenue Bridge over I-95 MP 605.76
12. Authorizing Additional Funding for TANY 22-21/ D214875, I-287/Route 17S (Exit 15, MP 29.4) to north of Suffern (MP 38.7) Pavement Resurfacing

D. Report to the Board

E. Public Comment Period for General Thruway Authority Matters (15 Minute Limit)

F. Other Business

G. Adjournment

Meeting No. 753

Item 1

Appendix A

TO: The Thruway Authority Board

DATE: March 28, 2022

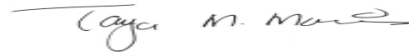
FROM: Tanya M. Morris
Secretary

SUBJECT: Approval of Minutes of Board Meeting No. 752

Copies of the Minutes of Board Meeting No. 752 was made available to the Board Members as part of the Agenda.

RECOMMENDATION

It is recommended that the Minutes of Board Meeting No. 752 held on January 31, 2022 be approved by the Board.



Secretary

RECOMMENDATION APPROVED:



Executive Director



**MINUTES
NEW YORK STATE THRUWAY AUTHORITY
BOARD MEETING NO. 752
January 31, 2022**

Meeting minutes of the New York Thruway Authority, due to COVID19 was held by Webinar.

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 11:15 a.m.

The following committee members were present on Webinar:

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

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

Staff present on Webinar:

Matthew J. Driscoll, Executive Director
Matthew Trapasso, Chief of Staff
Matt Howard, Treasurer and Chief Financial Officer
Frank Hoare, General Counsel
Rich Lee, Chief Engineer
Jim Konstalid, Director of Maintenance & Operations
Josh Klemm, Director of IT
Jen Givner, Director Media Relations
Andy Trombley, Director of Contracts & Procurements
Peter Nilsson, Information Technology Specialist
Sean Lasher, 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).

PUBLIC COMMENT PERIOD RELATED TO THE MEETING AGENDA

Chair Mahoney stated that due to COVID19 and Executive Order 202.1, we are able to have our Board Meeting by Webinar. Individuals who wish to address items on today's agenda would have had to submit their written comments via email prior to this Board Meeting to the Board Administrator.

Chair Mahoney asked Ms. Morris if there were any public comments. Ms. Morris stated there were comments made by Murray Bodin. Details of the comments are included in the Webinar recording of the meeting.

Item 1 by Chair Mahoney (Appendix A) **Approval of the Minutes of Meeting No 751**

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. 751 held December 6, 2021, which was made available to the Board Members as part of the Agenda.

Item 2 by Matt Howard (Appendix B) **Financial Reports– October & November 2021**

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 October & November 2021.

Item 3 by Matt Howard (Appendix C) **Investment Transactions –Fourth Quarter 2021**

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.

Item 4 by Director Driscoll (Appendix D)

Staff Appointment of Josh Klemm to Director of Information Technology

Director Driscoll presented the resolution for Staff Appointment of Josh Klemm to Director of Information Technology.

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 Staff Appointment of Josh Klemm and adopted the following resolution:

RESOLUTION NO. 6339

**STAFF APPOINTMENT OF JOSHUA S. KLEMM AS
DIRECTOR OF INFORMATION TECHNOLOGY**

RESOLVED, that the Board hereby appoints Joshua S. Klemm as Director of Information Technology effective January 31, 2022, at salary grade 36, with an annual salary of \$165,887, for which funds are available in the 2022 Operating Budget, and it be further

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

Item 5 by Director Driscoll (Appendix E)

Staff Appointment of Pat Hoehn to Director of Syracuse Division

Director Driscoll presented the resolution for Staff Appointment of Pat Hoehn to Director of Syracuse Division.

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 Staff Appointment of Pat Hoehn and adopted the following resolution:

It is recommended the Board adopt the following resolution:

RESOLUTION NO. 6340

STAFF APPOINTMENT OF PATRICK K. HOEHN SYRACUSE
DIVISION DIRECTOR

RESOLVED, that the Board hereby appoints
Patrick K. Hoehn, as Syracuse Division Director effective
January 31, 2022, at a salary grade 35, with an annual salary
of \$159,486, for which funds are available in the 2022
Operating Budget and be it further

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

Item 6 by Jim Konstalid (Appendix F)

**Authorizing the Executive Director to enter into a Memorandum of Agreement with the MTA
Bridges & Tunnels to Reimburse Costs Related to Program Management Services for the New
York E-ZPass Customer Service Center Transition Project**

Jim presented the resolution for Authorizing the Executive Director to enter into a Memorandum of Agreement with the MTA Bridges & Tunnels to Reimburse Costs Related to Program Management Services for the New York E-ZPass Customer Service Center Transition Project.

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 Memorandum of Agreement with the MTA Bridges & Tunnels and adopted the following resolution:

RESOLUTION NO.6341

AUTHORIZING THE EXECUTIVE DIRECTOR TO
EXECUTE A MEMORANDUM OF AGREEMENT WITH
THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY
FOR PROJECT MANAGEMENT SERVICES TO OVERSEE
THE NEW YORK CUSTOMER SERVICE CENTER
TRANSITION PROJECT

RESOLVED, that the Executive Director, or his designee, be, and hereby is, authorized to execute Memorandum of Agreement with the Triborough Bridge and Tunnel Authority consistent with the terms of this item; and be it further

RESOLVED, that the term of the Agreement shall be for two-years; and be it further

RESOLVED, that the maximum amount payable for this Agreement is \$622,501.75 and shall be on such other terms and conditions as the Executive Director, Director of Maintenance and Operations and General Counsel determine 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 the Authority's Chief Financial Officer
be, and hereby is, authorized to charge expenditures for services
rendered pursuant to such Agreement to the appropriate Budget;
and be it further

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

Item 7 by Frank Hoare (Appendix G)

Declaring Real Property Reference No. 490, Located in the City of Rye and County of Westchester, and Permanent Easement in Adjoining Land, Real Property Reference No TN15-4, as Not Necessary for the Authority's Corporate Purposes and Authorizing the Sale Thereof

Mr. Hoare presented the resolution to Declare Real Property Reference No. 490 Located in the City of Rye and County of Westchester and Permanent Easement in Adjoining Land.

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 Declare Real Property Reference No. 490 Located in the City of Rye and County of Westchester and Permanent Easement in Adjoining Land Real Property Reference No TN15-4, as Not Necessary for the Authority's Corporate Purposes and Authorizing the Sale Thereof and adopted the following resolution:

RESOLUTION NO. 6342

DECLARING REAL PROPERTY REFERENCE NO. 490,
LOCATED IN THE CITY OF RYE, COUNTY OF WESTCHESTER,
AND PERMANENT EASEMENT IN ADJOINING LAND, REAL
PROPERTY REFERENCE NO. TN15-4, 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. 490 (hereinafter, "Subject Property"), and in
the Subject Permanent Easement, Real Property Reference No. TN15-
4, 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 Rye Country Day School (hereinafter, "Applicant") pursuant to, and in accordance with, legislation adopted by New York State Legislature and signed by the Governor ("Legislation"), and be it further

RESOLVED, that the Subject Permanent Easement, as described in this agenda item and Exhibits I and II, be, and the same hereby is, authorized for conveyance to the Applicant and be it further

RESOLVED, that such conveyance of the Subject Property and the Subject Permanent Easement to the Applicant be predicated upon Applicant's payment of consideration in the amount of \$5,160,000, 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 and conveyance of the Subject Permanent Easement 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 the Subject Permanent Easement to the Applicant, and be it further

RESOLVED, that the recommendation regarding the environmental significance of this Board action (hereinafter, “recommendation”), 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 8 by Frank Hoare (Appendix H)

Declaring Real Property Reference No. TN20-3 – Subject Property A & Subject Property B, Located in the Town of Clarkstown and County of Rockland, as Not Necessary for the Authority’s Corporate Purposes and Authorizing the Auctions Thereof

Mr. Hoare presented the resolution to Declare Real Property Reference No. TN20-3-Subject Property A & Subject Property B Located in the Town of Clarkstown and County of Rockland.

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

Upon motion duly made and seconded, the Board Declared Real Property Reference No. TN20-3-Subject to Property A & Subject Property B Located in the Town of Clarkstown and County of Rockland as not necessary for the Authority’s Corporate Purposes and Authorized the Auctions Thereof and adopted the following resolution:

RESOLUTION NO. 6343

DECLARING REAL PROPERTY REFERENCE NO. TN20-3 –
SUBJECT PROPERTY A & SUBJECT PROPERTY B, LOCATED
IN THE TOWN OF CLARKSTOWN AND COUNTY OF
ROCKLAND, AS NOT NECESSARY FOR THE AUTHORITY’S
CORPORATE PURPOSES AND AUTHORIZING THE AUCTIONS
THEREOF

RESOLVED, that the Board hereby finds, determines and declares that all remaining right, title and interest in and to Real Property Reference No. TN20-3 (hereinafter, “Subject Property A” and “Subject Property B”), 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 auction; and be it further

RESOLVED, that the Executive Director, or his designees, be and the same hereby is/are, authorized to conduct public auctions of the Properties at a minimum-bid amount of \$150,000 for Subject Property A and at a minimum-bid amount of \$170,000 for Subject Property B ; and be it further

RESOLVED, that the Executive Director, or his designees be, and the same hereby is/are, authorized to accept the highest bids that meets or exceeds each auction’s minimum bid, to memorialize such acceptance via the execution of the agreements for the sale of real property with the highest bidders on terms and conditions deemed by General Counsel to be in the Authority’s best interest, and to convey the Subject Properties to such highest bidders; 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 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 9 by Rich Lee (Appendix I)
Authorizing the Execution of Agreement D214866 with JMT of New York, Inc.

Mr. Lee presented the resolution to Authorize the Execution of Agreement D214866 with JMT of New York, 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 Agreement D214866 with JMT of New York, Inc. and adopted the following resolution:

RESOLUTION NO. 6344

AUTHORIZING THE EXECUTION OF AGREEMENT D214866
WITH JMT OF NEW YORK, INC.

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement (D214866) with JMT of New York, Inc., 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 2022 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 10 by Rich Lee (Appendix J)

Authorizing the Execution of Agreement D214867 with Erdman Anthony and Associates, Inc.

Mr. Lee presented the resolution for Authorizing the Execution of Agreement D214867 with Erdman Anthony and Associates, 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 Execution of Agreement D214867 with Erdman Anthony and Associate, Inc. and adopted the following resolution:

RESOLUTION NO. 6345
AUTHORIZING THE EXECUTION OF AGREEMENT D214867
WITH ERDMAN ANTHONY AND ASSOCIATES, INC.

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement (D214867) with Erdman Anthony Inc., 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 2022 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 11 by Rich Lee (Appendix K) Authorizing Additional Funding for TAB 21-22/D214858, Buffalo and Syracuse Division Pavement Striping – Various Locations

Mr. Lee presented the resolution for Authorizing the Additional Funding for TAB 21-22/D214858 Buffalo and Syracuse Division Pavement Striping – Various Locations.

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 TAB 21-22/D214858, Buffalo and Syracuse Division Pavement Striping – Various Locations and adopted the following resolution:

RESOLUTION NO. 6346

**AUTHORIZING ADDITIONAL FUNDING FOR TAB 21-22/ D214858,
BUFFALO AND SYRACUSE DIVISION PAVEMENT STRIPING AT
VARIOUS LOCATIONS**

RESOLVED, that an additional \$248,151.10 (revising the total contract value to \$998,151.10) for TAB 21-22/D214858, Buffalo and Syracuse Division Pavement Striping- Various Locations be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TAB 21-22/D214858 from anticipated project deferments and bid savings from the 2022 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 12 by Rich Lee (Appendix L) Authorizing the Executive Director to Execute a Contract with New York State Department of Transportation for the Transfer Variable Message System Boards for Less Than Fair Market Value

Mr. Lee presented the resolution for Authorizing the Executive Director to Execute a Contract with New York State Department of Transportation for the Transfer Variable Message System Boards for Less Than Fair Market Value.

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 Executive Director to Execute a Contract with New York State Department of Transportation for the Transfer Variable Message System Boards for Less Than Fair Market Value and adopted the following resolution:

RESOLUTION NO. 6347

**AUTHORIZING THE EXECUTIVE DIRECTOR TO
EXECUTE A CONTRACT WITH NEW YORK STATE
DEPARTMENT OF TRANSPORTATION FOR THE
TRANSFER OF VARIABLE MESSAGE SYSTEM BOARDS
FOR LESS THAN FAIR MARKET VALUE**

RESOLVED, that the transfer of variable message system boards as more particularly described in the agenda item and in Exhibit A (“Property”), to the New York State Department of Transportation (“NYSDOT”) for one dollar consideration, on the terms described and recommended in this agenda item, be and hereby is, approved, subject to such other legal, financial, engineering, and other terms as may be deemed by the Executive Director, the Chief Engineer, Director of Maintenance and Operations or the General Counsel, to be in the best interest of the New York State Thruway Authority (“Authority”) and consistent with the intent of this agenda item; and be it further

RESOLVED, that the Authority's Contracting Officer determined the transfer of the Property to NYSDOT may be by negotiation without public advertising because such disposal falls under Section 2897(6)(c)(v) and Section 2897(7) of the Public Authorities Law, and Section IV.E. of the Personal Property Disposal Policy, and that the transfer of the Property on the terms recommended in the agenda item complies with all applicable provisions of law, including Article 9, Title 5-A of the Public Authorities Law, and with the Personal Property Disposal Policy; and be it further

RESOLVED, that, no reasonable alternative to the proposed below-market transfer to NYSDOT would achieve the same purposes of such transfer; and be it further

RESOLVED, that the Executive Director, or his designee, be authorized to execute all documents necessary to effectuate the transfer of the Property to NYSDOT; and be it further

RESOLVED, that the Executive Director, the Chief Financial Officer, the Chief Engineer, Director of Maintenance and Operations, and the General Counsel be, and the same hereby are, authorized to take all actions necessary to effectuate the transfer of the Property to NYSDOT; and be it further

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

Item 13 by Andrew Trombley (Appendix M) Report on Procurement Contracts and Other Agreements Up to \$300,000 Executed by the Executive Director During the Period October 1, 2021 through December 31, 2021

Mr. Trombley presented the report on Procurement Contracts to the Board.

Upon motion duly made and seconded, without any objections, the Board accepted the Report on Procurement Contracts and other Agreements Executed by the Executive Director during the period October 1, 2021 through December 31, 2021.

GENERAL PUBLIC COMMENT PERIOD

Chair Mahoney asked Ms. Morris if there was any public comment regarding the Board Meeting and Ms. Morris said no.

OTHER BUSINESS

Director Driscoll had a few updates he presented to the Board.

ADJOURNMENT

There being no other business, upon motion duly made and seconded, the board voted to adjourn the meeting at 11:46 p.m.

Tanya M. Morris
Board Secretary

Meeting No. 753
Item 2
Appendix B

TO: The Thruway Authority Board

DATE: March 28, 2022

FROM: Matthew A. Howard
Chief Financial Officer

SUBJECT: Financial Report – December 2021

The Chief Financial Officer is formally submitting a copy of the Financial Report for the month of December 2021.

The Finance Committee considered this item at its March 28, 2022 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.



Chief Financial Officer

APPROVED:



Executive Director

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

Meeting No.	753
Item	3
Appendix	C

TO: The Thruway Authority Board

DATE: March 28, 2022

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 748 on March 29, 2021 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 2021. 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 28, 2022 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:



Executive Director

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

Meeting No.	753
Item	4
Appendix	D

TO: The Thruway Authority Board

DATE: March 28, 2022

FROM: Matthew A. Howard
Chief Financial Officer

SUBJECT: Annual Report of 2021 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, 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 2021 schedules of personal service contracts and purchasing contracts are attached as Exhibits A1 (Non-Engineering Personal Service Contracts), A2 (Engineering and Architectural Contracts) and A3 (Purchasing 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 2021. In addition, 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 28, 2022 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 2021 PROCUREMENT CONTRACTS

RESOLVED, that the Schedules of 2021 Procurement Contracts (Exhibits A1, A2 and A3), 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.



Chief Financial Officer

RECOMMENDATION APPROVED:



Executive Director

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

Meeting No.	753
Item	5
Appendix	E

TO: The Thruway Authority Board

DATE: March 28, 2022

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 Single Audit Requirements, 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, 2021. 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 Single Audit requirements applicable to the Authority's major federal programs as defined by the Comptroller General of the United States and the United States Office of Management and Budget, BST issued a report which disclosed no instances of noncompliance (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 28, 2022 meeting and recommended it be submitted to the Board for consideration.

RECOMMENDATION:

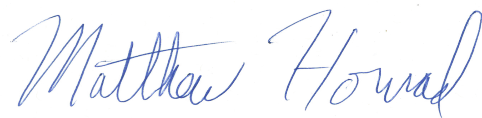
It is recommended that the Board adopt the following resolution:

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 SINGLE AUDIT REQUIREMENTS, REPORT ON COMPLIANCE WITH INVESTMENT GUIDELINES AND REQUIRED COMMUNICATIONS TO THE AUTHORITY'S BOARD

RESOLVED, that the Authority's Financial Statements, Report on Compliance with Single Audit Requirements, 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:



Executive Director

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

TO: Thruway Authority Board

FROM: Frank G. Hoare
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 Code of Ethics Governing Board Members to clarify that Board members are prohibited from receiving compensation for appearing or rendering services against the Authority in relation to any matter rather than only the Court of Claims and to change references from the State Commission on Public Integrity to the Joint Commission on Public Ethics

The Governance Committee considered this item at its March 28, 2022 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.



General Counsel

RECOMMENDATION APPROVED:



Executive Director

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

TO: The Thruway Authority Board

FROM: John F. Barr
Acting Director of Administrative Services

SUBJECT: Authorizing a Contract with Joseph Bress to Assist in Negotiation of Authority Labor Agreements

This Board item seeks authorization for the Authority to enter into a contract with Joseph M. Bress to assist in negotiations of the Authority's labor agreements.

Joseph M. Bress recently assisted the State and the Authority in negotiating several labor agreements with public employees. Mr. Bress is uniquely qualified to assist the Authority in the negotiations of its labor agreements because he previously served as Executive Director of the Governor's Office of Employee Relations where he engaged in collective bargaining on behalf of the State.

The Authority's contract would be for a term of three years, with two one-year renewal options. The maximum amount payable under the agreement for services provided by Mr. Bress would be \$200,000. Sufficient funding has been provided in the Authority's operating budget for these services.

Given the State's and the Authority's historical relationship with Mr. Bress involving labor negotiations, it is in the best interests of the Authority to waive competition in accordance with Procurement Policy 25-5-01, Section IV, Waiver of Competition. Additionally, the Authority will retain Mr. Bress at the same rate and under similar terms as the State's contract.

Upon Board approval, the Office of Procurement Services will assure that all Contract Reporter and other Procurement Policy requirements regarding this procurement are met, including a waiver of pre-advertising from the Office of the State Comptroller (“OSC”) where necessary. The proposed contract with Mr. Bress will be presented to OSC for review and contract approval.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

**AUTHORIZING A CONTRACT WITH JOSEPH BRESS TO ASSIST
IN NEGOTIATIONS OF AUTHORITY LABOR AGREEMENTS**

RESOLVED, that an agreement with Joseph M. Bress on the terms and conditions contained in the agenda item, and such other terms and conditions as may be determined by the Executive Director and the General Counsel to be in the

Authority’s best interest be, and hereby is, authorized, and be it further

RESOLVED, that the competitive procedures required by the Thruway Authority Procurement Contracts Policy be, and hereby are, waived, and be it further

RESOLVED, that the Executive Director, or his designee be, and hereby is, authorized to execute an agreement with Mr. Joseph

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Appendix G

M. Bress and to take all such actions as may be necessary to effectuate such agreement, including execution of any and all documents in relation thereto, 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 contract with Mr. Bress; manage and administer such contract; amend the provisions of the contract consistent with the terms of this item and other Board authorizations; and suspend or terminate the contract as it may be in the best interest of the Authority, and be it further

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


Acting Director of Administrative Services

RECOMMENDATION APPROVED:



Executive Director

financing, analysis of traffic and revenue impacts resulting from the Authority's conversion to cashless tolling, and daily monitoring of traffic during the COVID-19 pandemic to determine impacts on toll revenue. In addition, part of the original funding was used to provide required Traffic Engineer and Environment Impact reports relative to the last Board Approved toll adjustment. Future assignments will include traffic and toll revenue projections for future budgets and required reports for future bond issuances and/or restructurings.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 2 TO ENGINEERING AGREEMENT D214695 WITH STANTEC CONSULTING SERVICES, INC.

RESOLVED, that the Chief Engineer be, and he hereby is, authorized to execute Supplemental Agreement No. 2 to D214695 with Stantec Consulting Services, Inc. for an additional sum of \$800,000 and a one-year extension, 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 this Agreement (D214695) be \$2,100,000, and the revised term be through October 31, 2023, 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 2022 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 Financial Officer

RECOMMENDATION APPROVED:



Executive Director

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Appendix I

TO: The Thruway Authority Board

DATE: March 28, 2022

FROM: James K. Konstalid
Director of Maintenance and Operations

SUBJECT: Authorizing the Executive Director to Execute an Agreement C010633 with Precision Environmental Services, Inc. for Soil Remediation Services at the Verona Maintenance Facility

The Thruway Authority ("Authority") has been named a responsible party by the New York State Department of Environmental Conservation ("NYSDEC") for Petroleum Spill No. 1907040 ("Spill") at the Verona Maintenance Facility. Under Article 12 of the Navigation Law, as a responsible party, the Authority is required to remediate the Spill.

The Authority discovered petroleum contamination in geotechnical soil borings being conducted for the proposed addition of the maintenance building at Verona Maintenance Facility. The Authority reported the discovery to NYSDEC. NYSDEC opened the Spill on October 11, 2019.

The Authority conducted a subsurface soil investigation to define the extent of the petroleum contamination. The Authority advanced additional soil borings in search pattern to determine the area and depth of contaminated soil. Based on the results of the subsurface soil investigation, the Authority determined that excavating and removal of the contaminated soil from the site would be the most preferred and least expensive method of soil remediation. NYSDEC approved a work plan submitted by the Authority to perform soil remediation by excavating and removing the contaminated soil from the site.

In 2016, NYSDEC issued a Request for Purchase for Standby Investigation and Remediation, to award four (4) contracts in NYSDEC Region 6, an area including the Verona

Maintenance Facility. Precision Environmental Services, Inc. (“Precision”) was the highest rated proposer for Region 6 and was awarded contract C100614 by NYSDEC to conduct Standby Investigation & Remediation in Region 6. Precision has provided an estimate to the Authority for the soil remediation at the Verona Maintenance Facility based on the NYSDEC contract pricing, therefore the cost is considered fair and reasonable.

It is recommended that the Board authorize the Executive Director to execute an Agreement C010633 with Precision Environmental Services, Inc. for a maximum amount payable of \$550,000 to conduct soil remediation services at the Verona Maintenance Facility. Funding has been provided in the Thruway Operating Fund. The Agreement shall commence April 1, 2022 and shall terminate March 31, 2023.

It is recommended that the Board adopt the following resolution:

RECOMMENDATION:

RESOLUTION NO.

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT C010633 WITH PRECISION ENVIRONMENTAL SERVICES, INC. FOR SOIL REMEDIATION SERVICES AT THE VERONA MAINTENANCE FACILITY

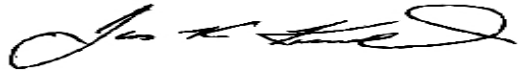
RESOLVED, that the Executive Director be, and he hereby is, authorized to execute Agreement (C010633) with Precision Environmental Services, Inc., for a maximum amount payable of \$550,000 to conduct soil remediation services at the Verona Maintenance Facility (“Agreement”); and be it further

RESOLVED, that the Executive Director, or his designee, be, and hereby is, authorized to exercise all powers reserved to

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Appendix I

NYSTA under the amendments authorized hereby; and be it
further

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



Director of Maintenance and Operations

RECOMMENDATION APPROVED:



Executive Director

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Item 10
Appendix J

TO: The Thruway Authority Board

Date: March 28, 2022

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

SUBJECT: Authorizing Additional Funding for TAGS 22-5/ D214853, Garden State
Parkway Connector (MP GS0.00 to MP GS2.40) Pavement Resurfacing

TAGS 22-5/D214853, Garden State Parkway Connector (MP GS0.00 to MP GS2.40) Pavement Resurfacing was let on February 16, 2022. The low bid of \$6,386,590 was submitted by Crisdel Group, Inc.

As presented in the attached additional funds memorandum (Exhibit A), at this time, an additional \$1,386,590 is needed to complete Garden State Parkway Connector (MP GS0.00 to MP GS2.40) Pavement Resurfacing. A majority of the cost increase was due to market forces increasing the cost of asphalt and milling operations, as well as the need for additional night-time operations and work zone traffic control. High traffic volumes within this corridor results in reduced work windows and increased staging requirements to complete the work.

The additional funding to complete Garden State Parkway Connector (MP GS0.00 to MP GS2.40) Pavement Resurfacing is available from project deferments and bid savings from the 2022 Contracts Program. Board authorization is requested to approve an additional \$1,386,590 for TAGS 22-5/D214853, thus revising the contract value to \$6,386,590.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING ADDITIONAL FUNDING FOR TAGS 22-5/ D214853,
GARDEN STATE PARKWAY CONNECTOR (MP GS0.00 TO MP
GS2.40) PAVEMENT RESURFACING

RESOLVED, that an additional \$1,386,590 (revising the total contract value to \$6,386,590) for TAGS 22-5/D214853, Garden State Parkway Connector (MP GS0.00 to MP GS2.40) Pavement Resurfacing be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TAGS 22-5/D214853 from project deferments and bid savings from the 2022 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

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Appendix J

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:



Executive Director



MATTHEW J. DRISCOLL
Executive Director

Memorandum

SUBJECT: TAGS 22-5, D214853, H864.2
GSP Pavement Resurfacing
MP 640.00 to 642.40
Bid Analysis/Additional Funds

Item 619.01 - Basic Work Zone Traffic Control was bid higher than estimated, at \$656,217.54 versus \$350,000.00 estimated. Other bids for this item ranged from \$357,000 to \$1,000,000, so the bid received appears reasonable. Also, **Item 619.24 - Nighttime Operations** was bid significantly

higher than estimated, at \$261,862.78 versus \$75,000 estimated. Other bids ranged from \$180,000 to \$473,000.00. In discussion with the bidders, the lane closure charts for this section result in a short work-windows for when lanes can be closed to perform the work. This results in increased staging and significantly extends the duration of the milling and paving operations.

Together, these three items account for \$1,058,280.32 of the \$1,368,590 difference bid over the Engineers Estimate. After further analysis, the bid prices received appear reasonable and represent the true cost of the work to be performed. We believe that the contract was competitively bid, and the Authority would not receive lower bids if the project was re-let. Therefore, we recommend that this contract be awarded to the apparent low bidder, Crisdel Group Inc.

The additional \$1,368,590 in 2022 cash flow needed for this project is available from *(Get Funding source from Andrew Trombley)*.



Director, Office of Design

Reviewed by Director of Capital & Contracts Management _____ (Initials)

I Approve:

Richard Lee, Chief Engineer

Date

Funds Allocated:

Chief Financial Officer

Date

AM:WEJ

Cc: NY Division Director – **Brent Howard**
NY Div. Capital Plan Manager - **Lizy Philip**
NY Division ADDES – **Darrin Scalzo**
Director, Maintenance and Operations – **James Konstalid**
Deputy Chief Engineer & Director of Capital Program Delivery – **(Vacant) Fwd to Rich Lee**
Design Bureau Director – **Bob Cournoyer**
Director, OCM – **Brett Williams**
Director, Office of Procurement Services – **Andrew Trombley**
Contracts Unit - **Ron Smith**
NY Division Projects – **Kristen Resnikoff**
OCM Secretary – **Jill Carkner**

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Appendix K

TO: The Thruway Authority Board

Date: March 28, 2022

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

SUBJECT: Authorizing Additional Funding for TANE 22-22B/ D214321, North Avenue
Bridge over I-95 MP 605.76

TANE 22-22B/D214321, North Avenue Bridge over I-95 at MP 605.76 is scheduled to be let on April 27, 2022. The current budget of \$18,000,000 has been determined to be insufficient to complete the project.

As presented in the attached additional funds memorandum (Exhibit A), at this time, a budget increase of \$8,000,000 is needed to be approved. A majority of the cost increase is due to market forces increasing the cost of steel and concrete, increased scope of the project to address stakeholder and community needs, as well as the need for additional night-time operations and work zone traffic control.

The additional funding to complete North Avenue Bridge over I-95 at MP 605.76 is available from project deferrals and bid savings from the 2022 Contracts Program. Board authorization is requested to approve an additional \$8,000,000 for TANE 22-22B/D214321, thus revising the budget amount to \$26,000,000.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING ADDITIONAL FUNDING FOR TANE 22-22B/ D214321,
NORTH AVENUE BRIDGE OVER I-95 AT MP 605.76

RESOLVED, that an additional \$8,000,000 (revising the total contract value to \$26,00,000) for North Avenue Bridge over I-95 at MP 605.76 be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TANE 22-22B/D214321 from project deferments and bid savings from the 2022 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


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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

KATHY HOCHUL
Governor

Thruway Authority

JOANNE M. MAHONEY
Chair

MATTHEW J. DRISCOLL
Executive Director

Exhibit A

Memorandum

TO: Richard Lee

DATE: March 16, 2022

FROM: Andrew Trombley

**SUBJECT: TANE 22-22B, D214321, B284.1
MP 605.76
New York Division:
North Avenue over I-95
Bridge Replacement,
Additional Funding Request**

Item B284.1 of the 2022 Contracts Program provides funding for the bridge replacement of North Avenue over I-95 at MP 605.76.

The following table reflects the approved and current funding:

All costs in Millions	Approved Construction Cost	Engineer's Estimate	Approved 2022 Cash Flow	Revised 2022 Cash Flow
B284.1	\$18.0M	\$26.0M	\$18.0M	\$26.0M

Reasons for increase:

A majority of the cost increase is due to market forces increasing the cost of key project components, including steel and concrete, increasing scope of the project to address stakeholder and community needs, as well as the need for additional nighttime operations and work zone traffic control. The Authority believes that market forces will continue to exert upward pressure on these commodities, and it is therefore prudent to ensure funding is secured prior to letting.

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Item 12
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TO: The Thruway Authority Board

Date: March 28, 2022

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

SUBJECT: Authorizing Additional Funding for TANY 22-21/ D214875, I-287/Route
17S (Exit 15, MP 29.4) to north of Suffern (MP 38.7) Pavement Resurfacing

TANY 22-21/D214875, I-287/Route 17S (Exit 15, MP 29.4) to north of Suffern (MP 38.7) mill to concrete with 4.5" overlay is scheduled to be let on May 4, 2022. The current budget of \$35,000,000 has been determined to be insufficient to complete the project.

As presented in the attached additional funds memorandum (Exhibit A), at this time, a budget increase of \$15,000,000 is needed to be approved. A majority of the cost increase is due to market forces increasing the cost of asphalt. Paving related work accounts for 71% of this project. In order to maintain traffic efficiently through this busy, high-volume corridor, additional construction staging needs to be performed. In addition, to get the most out of this complicated maintenance of traffic scheme, additional safety work will be performed (guardrail upgrades), which has also experienced escalations in cost.

The additional funding to complete I-287/Route 17S (Exit 15, MP 29.4) to north of Suffern (MP 38.7) mill to concrete with 4.5" overlay is available from project deferments and bid savings from the 2022 Contracts Program. Board authorization is requested to approve an additional \$15,000,000 for TANY 22-21/D214875, thus revising the contract value to \$50,000,000.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING ADDITIONAL FUNDING FOR TANY 22-21/D214875,
I-287/ROUTE 17S (EXIT 15, MP 29.4) TO NORTH OF SUFFERN (MP
38.7) MILL TO CONCRETE WITH 4.5" OVERLAY

RESOLVED, that an additional \$15,000,000 (revising the
total contract value to \$50,00,000) for I-287/Route 17S (Exit 15, MP
29.4) to north of Suffern (MP 38.7) mill to concrete with 4.5"
overlay be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to
TANY 22-21/D214875 from project deferments and bid savings from
the 2022 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

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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:



Executive Director



MATTHEW J. DRISCOLL
Executive Director

TO:	Richard Lee	DATE:	March 16, 2022
FROM:	Andrew Trombley	SUBJECT:	TANY 22-21, D214875, H165.1 MP 29.4 to MP 38.7 New York Division: I-287 Route 17S to Suffern, Pavement Resurfacing, Additional Funding Request

The following table reflects the approved and current funding:

All costs in Millions	Approved Construction Cost	Engineer's Estimate	Approved 2022 Cash Flow	Revised 2022 Cash Flow
H165.1	\$35.0M	\$50.0M	\$35.0M	\$50.0M

The original budget estimate included \$1M for full depth pavement repairs. This section was milled to concrete in 2014 and received an asphalt overlay varying from 3 to 6 inches. However due to the condition of the underlying concrete pavement and failure of previous full and partial depth asphalt repairs, the areas that require partial and full depth pavement repairs far exceeded the original estimate. The contract includes \$1.43M for full depth repairs and 1.4M for partial depth repairs. Further, the additional funding is necessary to account for the increased costs of key project components, including asphalt, stone and traffic control. The Authority believes that market forces will continue to exert upward pressure on these commodities, and it is therefore prudent to ensure funding in secured prior to letting.

Based on available work history for this corridor, it was presumed that the maximum asphalt thickness within the project limits was 3.5" and the project scope would involve a two-course pavement resurfacing. However, during field work investigations, it was discovered that the asphalt thickness ranged from 2" to as much as 6". Given the broad range of asphalt present, the project scope was changed to include removal all existing asphalt down to the original concrete. This additional work results in added construction staging in order to maintain traffic operations through this busy, high-volume corridor. Further, the additional funding is necessary to account for the increased costs of key project components, including asphalt, stone and traffic control. The Authority believes that market forces will continue to exert upward pressure on these commodities, and it is therefore prudent to ensure funding is secured prior to letting.