



**NEW YORK**  
STATE OF  
OPPORTUNITY™

**Thruway  
Authority**

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**BOARD OF DIRECTORS MEETING NO. 762  
TUESDAY, APRIL 9, 2024  
ALBANY, NEW YORK**



# Thruway Authority

## **BOARD MEETING AGENDA**

Meeting No. 762

April 9, 2024

Albany, New York

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

### **B. Consent Items**

1. Approval of Minutes for Thruway Board of Director's Meeting No. 761
2. Financial Reports for December 2023 & January 2024
3. Approval of the Authority's Annual Investment Report
4. Approval of the Annual Report for 2023 Procurement Contracts
5. Report of BST & Co. CPAs, LLC's Audit of the Authority's Financial Statements, Report of Single Audit, Report on Compliance with Investment Guidelines, and Required Communications to the Authority's Board
6. Approval of Thruway Authority's Bylaws and Certain Authority Policies

### **C. Action Items**

7. Staff Appointment of Nicole Leblond as Chief of Staff
8. Staff Appointment of Erika Beardsley as Director of the Department of Strategic Management
9. Staff Appointment of Andrew Trombley as Director of Procurement Services
10. Staff Appointment of Diana Nebiolo as Director of Revenue Management
11. Authorizing the Auction of Thruway Authority Property in Town of Hamburg, Erie County
12. Authorizing the Acting Executive Director to Execute an Agreement with the Town of Ulster for the Installation of a Water Transmission System and for the Provision of Water to the Ulster Service Area
13. Authorizing Funding and Schedule Changes Projects H142.1, Pavement Rehabilitation Buffalo Division MP 351.4 to MP 362.5 AND H368.1, Pavement Resurfacing, MP 362.5 to 378.2 & H145.1 MP 430.6 to MP 438.5: 2" Mill and Inlay
14. Term Agreement for Construction Inspection (CI) Support Services NY Division Contract No.: D214972
15. Term Agreement for Construction Inspection (CI) Support Services Syracuse Division Contract No.: D214973

16. Term Agreement for Design Support Services Statewide Contract No.: D214974
17. Term Agreement for Preliminary Engineering Support Services Statewide Contract No.: D214976
18. Increasing the Maximum Amount Payable and Authorizing Additional Funding for TANY 23-7/D214911, New York Division: On-Demand Repair Contract - 2023 -2024
19. Authorizing Additional Funding, Title Change, and Schedule Change for Project B229.1, New York Division - On-Demand Repair Contract - 2025-2026
20. Authorizing Additional Funding for TANY 24-8/D214964, MP 46.0 to MP 60.1: Mill to Concrete/ 4" Overlay in the New York Division
21. Authorizing Scope Increase and Additional Funding for B776.2 Bridge Preservation for MP 29.54 - Thruway over Suffern-Mt. Ivy Route 202 in the New York Division

**D. Report to the Board**

22. New Compliance Director for Procurement Services

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

**F. Other Business**

**G. Adjournment**

Meeting No. 762  
Item 1  
Appendix A

TO: The Thruway Authority Board

DATE: April 9, 2024

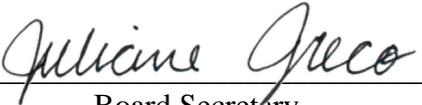
FROM: Juliane Greco  
Board Secretary

SUBJECT: Approval of Minutes of Board Meeting No. 761

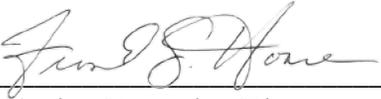
Copies of the Minutes of Board Meeting No. 761 were made available to the Board Members as part of the agenda.

#### RECOMMENDATION

It is recommended that the Minutes of Board Meeting No. 761, held on January 29, 2024, be approved by the Board.

  
\_\_\_\_\_  
Board Secretary

#### RECOMMENDATION APPROVED:

  
\_\_\_\_\_  
Acting Executive Director



**MINUTES  
NEW YORK STATE THRUWAY AUTHORITY  
BOARD MEETING NO. 761  
January 29, 2024**

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

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 following Board Members were present:

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

Also available via Webex

Norman H. Jones, Board Member

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

Staff present:

Frank G. Hoare, Acting Executive Director  
Tom McIntyre, Deputy Executive Director of Operations & Special Projects  
Matthew Trapasso, Chief of Staff  
Dave Malone, Chief Financial Officer  
Sandra Rivera, General Counsel  
Brent Howard, Chief Engineer  
Mary Boehm, Director of Audit & Management Services  
Selica Grant, Director of Administrative Services  
Erika Beardsley, Acting Director for Center of Excellence  
Jennifer Givner, Director of Media Relations & Communications  
Andrew Trombley, Acting Director of Procurement Services  
Diana Nebiolo, Acting Director of Revenue Management  
Pete Nilsson, Information Technology Specialist

William Hewitt, Information Technology Specialist  
Julie Greco, Board Secretary

Also Present:  
Murray Bodin

Chair Mahoney called the meeting of the Thruway Authority Board to order at approximately 1:15pm.

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

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**A. PUBLIC COMMENT PERIOD RELATED TO THE MEETING AGENDA (13:42)**

Chair Mahoney asked Ms. Greco if there were any public comments related to the agenda items. Ms. Greco stated there were no comments.

**B. CONSENT (ITEMS 1-3) (14:07)**

**Item 1 by Chair Mahoney (Appendix A)**  
**Approval of the Minutes of Meeting No 760**

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. 760 held on November 14, 2023, which were made available to the Board Members as part of the agenda.

**Item 2 by Dave Malone (Appendix B)**  
**Financial Report– September, October, & November 2023**

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 September, October, and November 2023.

**Item 3 by Dave Malone (Appendix C)**  
**Approval of the Authority's Investment Transactions –Fourth Quarter 2023**

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.

**C. ACTION ITEMS (ITEMS 4-16)**

**Item 4 by Frank Hoare (Appendix D) (14:28)**  
**Staff Appointment of Sandra Rivera as General Counsel**

Acting Executive Director Hoare presented the resolution to the Board to approve the staff appointment of Sandra Rivera as General Counsel.

Details of the 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 Sandra Rivera as General Counsel and adopted the following resolution:

**RESOLUTION NO. 6479**

**STAFF APPOINTMENT OF SANDRA RIVERA  
AS GENERAL COUNSEL**

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RESOLVED, that the Board hereby appoints  
Sandra Rivera as General Counsel effective January  
29, 2024, at salary grade 38 with a salary of \$194,519  
for which funds are available in the 2024 Operating  
Budget, and it be further

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

**Item 5 by Frank Hoare (Appendix E) (16:00)**  
**Staff Appointment of Brent Howard as Chief Engineer**

Acting Executive Director Frank Hoare presented the resolution to the Board to approve the staff appointment of Brent Howard as Chief Engineer.

Details of the 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 Brent Howard as Chief Engineer and adopted the following resolution:

**RESOLUTION NO. 6480**

**STAFF APPOINTMENT OF BRENT HOWARD AS  
CHIEF ENGINEER**

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RESOLVED, that the Board hereby appoints Brent Howard as Chief Engineer effective January 29, 2024, at salary grade 37 with a salary of \$192,132 for which funds are available in the 2024 Operating Budget, and it be further

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

**Item 6 by Frank Hoare (Appendix F) (17:00)**

**Staff Appointment of Selica Grant as Director of Administrative Services**

Acting Executive Director Frank Hoare presented the resolution to the Board to approve the staff appointment of Selica Grant as Director of Administrative 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 approved the staff appointment of Selica Grant as Director of Administrative Services and adopted the following resolution:

**RESOLUTION NO. 6481**

**STAFF APPOINTMENT OF SELICA GRANT AS  
DIRECTOR OF ADMINISTRATIVE SERVICES**

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RESOLVED, that the Board hereby appoints Selica Grant as Director of Administrative Services effective January 29, 2024, at salary grade 36 and

salary of \$161,800, for which funds are available in the 2024 Operating Budget, and it be further

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

**Item 7 by Frank Hoare (Appendix G) (17:52)**  
**Staff Appointment of Julie Greco as Board Secretary**

Acting Executive Director Frank Hoare presented the resolution to the Board to approve the staff appointment of Julie Greco as Board Secretary.

Details of the 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 Julie Greco as Board Secretary and adopted the following resolution:

**RESOLUTION NO. 6482**

**APPOINTING JULIANE GRECO TO THE OFFICE OF  
SECRETARY OF THE THRUWAY AUTHORITY**

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RESOLVED, that the Board hereby names and appoints Juliane Greco to serve as the Secretary of the Thruway Authority, and be it further

RESOLVED, that Juliane Greco shall have all of the powers and duties of the office of Secretary under the Thruway Authority's Bylaws, and be it further

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

**Item 8 by Selica Grant (Appendix H) (18:53)**

**Authorizing the Acting Executive Director to Execute a Contract with Professional Health Services, Inc. to Provide On-Site Occupational Medical Services for Thruway Employees**

Ms. Grant presented to the Board the resolution to authorize the Acting Executive Director to execute a contract with Professional Health Services, Inc. to provide on-site occupational medical services for Thruway Authority employees.

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 Acting Executive Director to execute a contract with Professional Health Services, Inc. and adopted the following resolution:

**RESOLUTION NO. 6483**

**AUTHORIZING THE ACTING EXECUTIVE DIRECTOR  
TO EXECUTE A CONTRACT WITH PROFESSIONAL  
HEALTH SERVICES, INC. TO PROVIDE ON-SITE  
OCCUPATIONAL MEDICAL SERVICES FOR THRUWAY  
EMPLOYEES.**

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RESOLVED, that the Acting Executive Director or his designee be, and hereby is, authorized to execute an agreement with Professional Health Services, Inc to provide on-site Occupational Medical Services for Thruway employees, and be it further

RESOLVED, that the agreement shall be for the term of three (3) years with the option to renew for one (1), two (2) year term, the cost of these services is anticipated to have a maximum amount payable of \$935,750.00, and be it further

RESOLVED, that the Agreement shall be on such other terms and conditions as the Acting 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 Acting 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 Diana Nebiolo (Appendix I) (19:52)**  
**Authorizing the Acting Executive Director to Execute a Fifth Amendment to Agreement C100739 with Conduent State & Local Solutions, Inc. for E-ZPass New York Customer Service Center Services**

Ms. Nebiolo presented to the Board the resolution to authorize the Acting Executive to execute a fifth Amendment to Agreement C100739 with Conduent State & Local Solutions, Inc. for E-ZPass New York Customer Service Center 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 Acting Executive Director to execute a fifth amendment to Agreement C100739 with Conduent State & Local Solutions and adopted the following resolution:

**RESOLUTION NO. 6484**

**AUTHORIZING THE ACTING EXECUTIVE  
DIRECTOR TO EXECUTE A FIFTH AMENDMENT TO  
AGREEMENT C100739 WITH CONDUENT STATE &  
LOCAL SOLUTIONS, INC. FOR  
E-ZPASS NEW YORK CUSTOMER SERVICE CENTER  
SERVICES**

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RESOLVED, that the Acting Executive Director or his designee is authorized to execute a Fifth Amendment to Agreement C100739 with Conduent State & Local Solutions Inc., for E-ZPass New York Customer Center Services to include a term extension until September 30, 2024, and other such other terms and conditions as the Acting Executive Director, Acting Director of Revenue Management, and General Counsel determine to be 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 10 by Dave Malone (Appendix J) (26:29)**

**Authorizing the Acting Executive Director to Enter into a Contract with JPMorgan Chase Bank, N.A., for Government Banking Services**

Board member Heather Briccetti Mulligan was recused from voting on this item. A quorum was still in place.

Mr. Malone presented to the Board the resolution to authorize the Acting Executive Director to enter into a contract with JPMorgan Chase Bank, N.A., for government banking 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 Acting Executive Director to execute a contract with JPMorgan Chase Bank and adopted the following resolution:

**RESOLUTION NO. 6485**

**AUTHORIZING THE ACTING EXECUTIVE DIRECTOR TO  
ENTER INTO A CONTRACT WITH JPMORGAN CHASE  
BANK, N.A., FOR GOVERNMENT BANKING SERVICES**

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RESOLVED, that contingent upon the completion of vendor responsibility reviews and positive results, the Acting Executive Director is authorized to enter into a contract with JPMorgan Chase Bank, N.A. to provide general banking services for the Authority related to Authority funds deposited and dispersed on such terms and conditions deemed to be in the best interests of the Authority, and be it further

RESOLVED, that the Contract shall be for a term of five years for a maximum amount payable of \$479,415, and be it further

RESOLVED, that the costs of such services will be covered under a compensating balance arrangement where applicable, or by direct payment at the Authority's option, where the compensating balance arrangement provides for earnings credit on a monthly basis, and such earnings credit is based upon an earnings credit rate applied to a monthly balance retained for such purpose, and the calculated earnings credit is applied as compensation for fees charged for services provided, and be it further

RESOLVED, that the Acting Executive Director 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 full in the minutes of this meeting.

**Item 11 by Dave Malone (Appendix K) (30:46)**  
**Authorizing the Acting Executive Director to Execute Contract Amendment with The Bank of New York Mellon (Contract C010558)**

Mr. Malone presented the resolution to the Board to authorize the Acting Executive Director to execute a contract amendment with The Bank of New York Mellon (Contract C010558).

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 Acting Executive Director to execute a contract amendment with The Bank of New York Mellon (Contract C010558).

**RESOLUTION NO. 6486**

**AUTHORIZING THE ACTING EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT AMENDMENT WITH THE BANK OF NEW YORK MELLON (CONTRACT C010558)**

RESOLVED, that the Board authorizes the Acting Executive Director or his designee to negotiate and execute a contract amendment with The Bank of New York Mellon (BNY Mellon) to increase the maximum amount payable by \$1,000,000 to \$1,378,500, and be it further

RESOLVED, that the Acting Executive Director 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 Sandra Rivera (Appendix L) (32:50)**  
**Authorizing the Disposal of 2.699 Acres in the Town of Verona, Oneida County to the Town of Verona for Less Than Fair Market Value**

Ms. Rivera presented to the Board the resolution to authorize the disposal of 2.699 acres in the Town of Verona, Oneida County to the Town of Verona 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 the disposal of 2.699 acres in the Town of Verona, Oneida County to the Town of Verona and adopted the following resolution:

**RESOLUTION NO. 6487**

**DECLARING REAL PROPERTY REFERENCE NO. TS23-3, LOCATED IN THE TOWN OF VERONA AND COUNTY OF ONEIDA, AS NOT NECESSARY FOR THE AUTHORITY'S CORPORATE PURPOSES AND AUTHORIZING A NEGOTIATED, LESS THAN FAIR MARKET VALUE DISPOSAL**

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RESOLVED, that the Board hereby finds, determines and declares that all remaining right, title and interest in and to Real Property Reference No. TS23-3 (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 a negotiated, less than fair market value disposal; and be it further

RESOLVED, that the Acting Executive Director be, and the same hereby is, authorized to execute a purchase agreement with the Town of Verona for the Subject Property for \$1-payment waived with no restrictions and on other terms and conditions deemed by the General Counsel to be in the Authority's best interest; 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 Acting 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 13 by Sandra Rivera (Appendix M) (35:00)**  
**Authorizing the Public Auction of 9.211 Acres in the Town of Verona, Oneida County**

Ms. Rivera presented to the Board the resolution to authorize the public auction of 9.211 acres in the Town of Verona, Oneida County.

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 public auction of 9.211 acres in the Town of Verona, Oneida County and adopted the following resolution:

**RESOLUTION NO. 6488**

**DECLARING REAL PROPERTY REFERENCE NO. TS23-4,  
LOCATED IN THE TOWN OF VERONA AND COUNTY OF  
ONEIDA, AS NOT NECESSARY FOR THE AUTHORITY'S  
CORPORATE PURPOSES AND AUTHORIZING THE  
AUCTION THEREOF**

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RESOLVED, that the Board hereby finds, determines and declares that all remaining right, title and interest in and to Real Property Reference No. TS23-4 (hereinafter, "Subject Property"), as shown and delineated on Exhibit I 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 \$1,575,000 (hereinafter, "Minimum Bid"); and be it further

RESOLVED, that the Acting 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 the 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 Acting 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 14 by Brent Howard (Appendix N) (36:46)**  
**Authorizing the Execution of Agreement D214965 with HDR, Inc.**

Mr. Howard presented to the Board the resolution to authorize the execution of agreement D214965 with HDR, 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 execution of agreement D214965 with HDR, Inc., and adopted the following resolution:

**RESOLUTION NO. 6489**  
**AUTHORIZING THE EXECUTION OF AGREEMENT D214965**  
**WITH HDR, INC.**

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214965 with HDR, 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 2024 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.

**EXHIBIT A**  
**Agreement 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>
D214965, Term Agreement for Construction Inspection (CI) Support Services NY Division, 01/12/2024	HDR, Inc. 711 Westchester Avenue White Plains, NY 10604-3504	\$5,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.	Three years, with an option for the Authority to extend for one (1) additional one (1) year term	<ul style="list-style-type: none"> <li>• KS Engineers (MBE)</li> <li>• ALRA Engineers, P.C. (MBE)</li> <li>• Hayduk Engineering, LLC (SDVOB)</li> </ul> <p>Goals: 30% M/WBE and 6% SDVOB</p>

**Item 15 by Brent Howard (Appendix O) (37:54)**  
**Authorizing the Execution of Agreement D214966 with Creighton Manning Engineering, LLP**

Mr. Howard presented the resolution to the Board to authorize the execution of agreement D214966 with Creighton Manning Engineering, LLP.

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 execution of Agreement D214966 with Creighton Manning Engineering, LLP and adopted the following resolution:

**RESOLUTION NO. 6490**  
**AUTHORIZING THE EXECUTION OF AGREEMENT D214966**  
**WITH CREIGHTON MANNING ENGINEERING, LLP.**

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214966 with Creighton Manning Engineering, LLP 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 2024 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.

**EXHIBIT A**  
**Agreement 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>
D214966, Term Agreement for Construction Inspection (CI) Support Services Albany Division, 01/12/2024	Creighton Manning Engineering, LLP 2 Winners Circle Albany NY 12205	\$2,500,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.	Two years, with an option for the Authority to extend for one (1) additional one (1) year term	<ul style="list-style-type: none"> <li>• Foit -Albert Associates Architecture, Engineering and Surveying, PC (MBE)</li> <li>• Groundpoint Engineering, PLLC (SDVOB)</li> </ul> <p>Goals: 30% M/WBE and 6% SDVOB</p>

**Item 16 by Brent Howard (Appendix P) (38:42)**  
**Authorizing the Execution of Agreement D214967 with Nussbaumer & Clarke, Inc.**

Mr. Howard presented to the Board the resolution to authorize the execution of agreement D214967 with Nussbaumer & Clarke, 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 execution of agreement D214967 with Nussbaumer & Clarke, Inc., and adopted the following resolution:

**RESOLUTION NO. 6491**  
**AUTHORIZING THE EXECUTION OF AGREEMENT D214967  
WITH NUSSBAUMER & CLARK, INC.**

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214967 with Nussbaumer & Clarke, 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 2024 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.

**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>
D214967, Term Agreement for Construction Inspection (CI) Support Services Buffalo Division, 01/12/2024	Nussbaumer & Clarke, Inc. 3556 Lake Shore Road Buffalo, NY 14219-1494	\$4,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.	Three years, with an option for the Authority to extend for one (1) additional one (1) year term	<ul style="list-style-type: none"> <li>• Watts Architects and Engineers (MBE)</li> <li>• Kubit Engineering, P.L.L.C. (WBE)</li> <li>• Ravi Engineering &amp; Land Surveying, P.C. (MBE)</li> <li>• Encorus Group Engineering P.C. (SDVOB)</li> <li>• Patriot Design and Consulting (SDVOB)</li> </ul> <p>Goals: 30% M/WBE and 6% SDVOB</p>

**D. REPORT TO THE BOARD (ITEM 17-18)**

**Item 17 by Andrew Trombley (Appendix Q) (39:30)**

**Report on Procurement Contracts and Other Agreements Up to \$500,000**

**Executed by the Acting Executive Director During the Period October 1, 2023 Through December 31, 2023**

Andrew Trombley presented to the Board the report on Procurement Contract Agreements up to \$500,000 executed by the Acting Executive Director during the period of October 1, 2023 to December 31, 2023 (see exhibit I).

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

**EXHIBIT I**

**THRUWAY PERSONAL SERVICE CONTRACTS UP TO \$500,000  
FOR THE PERIOD October 1, 2023 – December 31, 2023**

<b>Date</b>	<b>Amount</b>	<b>Contractor</b>	<b>Amendment No.</b>	<b>MWBE Goal %</b>	<b>SDVOBE Goal %</b>	<b>Purpose</b>
10/27/23	\$0	Level 3 Communications LLC	1	0	0	Fiber User Agreement. Amendment #1 to Reduce Space in Regen Facilities
11/20/23	\$12,000	Industrial Medicine Associates PC	1	0	0	Off-Site Occupational Medical Services - Amendment #1 to extend term for 1-year and increase contract cap by \$7,000 to new cap of \$12,000.
10/17/23	\$655,300	Professional Health Services Inc.	2	0	0	On-Site Occupational Medical Services. Amendment #2 to increase contract cap by \$6,000 to a new cap of \$655,300.

**Item 18 by Frank Hoare (40:40)**  
**Report from the Acting Executive Director**

Acting Executive Director Hoare provided an overview to the Board on recent testimony for this year’s Legislative Transportation Committee Hearing. He highlighted the main points and questions

that came up at the hearing, which included capital spending, service area renovations, and electric vehicle charging stations.

Acting Executive Director Hoare and Board Members discussed the challenges and lack of electric vehicle options for large trucks.

The Acting Executive Director gave an update on the recent storm response by the Thruway Authority. The Acting Executive Director and Board praised Thruway Authority staff for their response and their dedication to maintaining the public's safety.

Details of the Acting Executive Director's report and discussion with Board Members are included in the audio recording of the meeting.

#### **E. GENERAL PUBLIC COMMENT PERIOD FOR GENERAL MATTERS (58:08)**

Chair Mahoney asked Ms. Greco if there were any public comment regarding general matters. Mr. Murray Bodin arrived in-person to provide comments. Additionally, Ms. Greco received one written comment via e-mail that was read to the Board.

Details of the public comment period are included in the audio recording of the meeting and enclosed in the Board materials under item 19 (appendix R) in the Thruway Board Book.

#### **F. OTHER BUSINESS (1:07:21)**

The 2024 Board Meeting dates were revised. Chair advised that board meeting dates are available on the Thruway's public website.

#### **ADJOURNMENT**

There being no other business, upon motion duly made and seconded, the board voted to adjourn the meeting at approximately 2:10pm.

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Julie Greco  
Board Secretary



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

Meeting No.	762
Item	3
Appendix	C

TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: David Malone  
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 757 on March 27, 2023 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 2023. 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

Meeting No.	762
Item	3
Appendix	C

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 April 9, 2024 meeting and recommended it be submitted to the Board for consideration.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO. 6492**

**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:



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Acting Executive Director

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

Meeting No. 762  
Item 4  
Appendix D

TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: David Malone  
Chief Financial Officer

Andrew Trombley  
Director of Procurement Services

SUBJECT: Annual Report of 2023 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 2023 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

Meeting No.	762
Item	4
Appendix	D

C. Unless otherwise authorized by the Board, staff of the Authority followed these guidelines in the awarding of procurement contracts during 2023. Part of the process includes the Authority's review of the proposed awardee 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 April 9, 2024 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. 6493**

**ANNUAL REPORT OF 2023 PROCUREMENT  
CONTRACTS**

---

RESOLVED, that the Schedules of 2023 Procurement Contracts (Exhibits A1, A2, A3 and A4), as submitted, are hereby accepted, and be it further

Meeting No.	762
Item	4
Appendix	D

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 2023 (Exhibit B), as submitted, is hereby accepted, and be it further

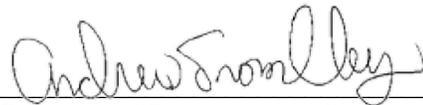
RESOLVED, that staff is authorized to submit this report to the New York State entities as required by Section 2879 of the Public Authorities Law, and be it further

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



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Chief Financial Officer



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Director of Procurement Services

RECOMMENDATION APPROVED:



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Acting Executive Director

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

Meeting No.	762
Item	5
Appendix	E

TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: David Malone  
Chief Financial Officer

SUBJECT: Report of BST & Co. CPAs, LLC's Audit of the Authority's Financial Statements, Single Audit Report, 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, 2023. 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 April 9, 2024 meeting and recommended it be submitted to the Board for consideration.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO. 6494**

**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

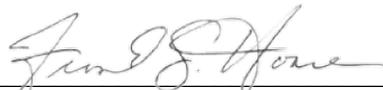
RESOLVED, that this resolution be incorporated in the minutes of this meeting.



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Chief Financial Officer

RECOMMENDATION APPROVED:



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Acting Executive Director

Please refer to Item # 2  
in the Audit Committee  
Meeting Book

Meeting No. 762  
Item 6  
Appendix F

TO: The Thruway Authority Board

FROM: Sandra Rivera  
General Counsel

SUBJECT: Review and Approval of the Bylaws and Certain Authority Policies

For review and approval by the Governance Committee are changes to the Authority's Bylaws and certain Authority policies.

Bylaws Changes

Changes to the Bylaws change the name of the Strategic Center of Excellence to the Department of Strategic Management, and the head of that department to Director of Strategic Management.

Authority Policies

The Governance Committee Charter requires Governance Committee review of certain Authority policies. 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 Governance Committee are: 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. Appropriate Authority staff have reviewed such.

No changes to the policies are recommended except to the Whistleblower Policy. Changes to the Whistleblower Policy include a clarification that employees are encouraged to report alleged wrongdoing without fear of adverse personnel action, the addition of the Bureau of Safety as an

Meeting No. 762  
Item 6  
Appendix F

office to which alleged wrongdoing may be reported (previously that office was within the Bureau of Labor Relations) and the addition of the phone number for the Authorities Budget Office.

The Governance Committee considered this item at its April 9, 2024 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. 6495**

**REVIEW AND APPROVAL OF BYLAWS AND CERTAIN  
AUTHORITY POLICIES**

---

RESOLVED, that the Authority's Bylaws, as contained in Exhibit A, be, and the same hereby are, approved, and be it further

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 B, be, and the same hereby are, approved, and be it further

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



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General Counsel

RECOMMENDATION APPROVED:



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Acting Executive Director

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

Meeting No. 762  
Item 7  
Appendix G

TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: Frank Hoare  
Acting Executive Director

SUBJECT: Staff Appointment of Nicole Leblond as Chief of Staff

Under the general direction of the Acting Executive Director, the Chief of Staff assists as required with the direction of activities of the various departments of the Thruway Authority in accordance with the policies and objectives established by the Board. The Chief of Staff performs such duties as may be assigned by the Executive Director.

I recommend that Nicole Leblond be appointed to the position effective April 11, 2024 at a salary grade 37 with an annual salary of \$184,132.

RECOMMENDATION:

It is recommended the Board adopt the following resolution:

**RESOLUTION NO. 6496**  
**STAFF APPOINTMENT OF NICOLE LEBLOND**  
**AS CHIEF OF STAFF**

---

RESOLVED, that the Board hereby appoints  
Nicole Leblond as Chief of Staff effective April 9, 2024,  
at a salary grade of 37 with an annual salary of \$184,132,  
for which funds are available in the 2024 Operating  
Budget and it be further

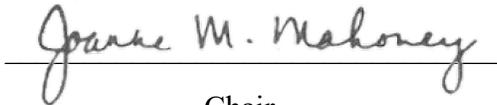
Meeting No. 762  
Item 7  
Appendix G

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



Acting Executive Director

RECOMMENDATION APPROVED:



Chair

Meeting No. 762  
Item 8  
Appendix H

Date: April 9, 2024

To: The Thruway Authority Board  
From: Frank Hoare, Acting Executive Director  
Subject: Staff Appointment of Erika M. Beardsley as Director of Strategic Management

In October 2022, the Authority launched a new Department of Strategic Center of Excellence to serve as the centralized strategy office, be forward looking and focused on the long-term success and sustainability of the Authority. Additional responsibilities include capital planning coordination with various departments and division and grants management coordination and oversight.

Under the direction of Chief of Staff, the Director of Strategic Management is the head of the Department of Strategic Management and is responsible for the Thruway Authority's 10-year strategic plan development and implementation in conjunction with the capital plan. The development and implementation require department alliance, goal setting, establishing measures and reporting.

I recommend Erika Beardsley be appointed to the position effective, April 9, 2024, at a Salary Grade 34, with an annual salary of \$162,824.

RECOMMENDATION:

It is recommended the Board adopt the following resolution:

**RESOLUTION NO.6497**

**STAFF APPOINTMENT OF ERIKA BEARDSLEY AS  
DIRECTOR OF STRATEGIC MANAGEMENT**

---

RESOLVED, that the Board hereby appoints  
Erika Beardsley as Director of Strategic  
Management effective April 9, 2024 with an  
annual salary of \$162, 824, for which funds are

Meeting No. 762  
Item 8  
Appendix H

available in the 2024 Operating Budget, and it be  
further

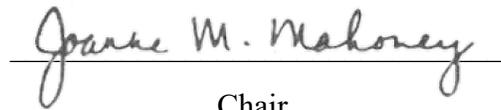
RESOLVED, that this resolution be  
incorporated in the minutes of this meeting.



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Acting Executive Director

RECOMMENDATION APPROVED:



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Chair

Meeting No. 762  
Item 9  
Appendix I

TO: The Thruway Authority Board DATE: April 9, 2024

FROM: Frank G. Hoare  
Acting Executive Director

SUBJECT: Staff Appointment of Andrew Trombley as Director of Procurement Services

The Director of Procurement Services is the head of the Department of Procurement Services and as such, is responsible for the Authority's procurement functions, including purchasing, Minority and Women-Owned Business compliance; Service Services Disabled Veteran-Owned Business compliance; and capital contract management.

I recommend that Mr. Trombley be appointed as Director of Procurement Services effective April 9, 2024 at a salary grade 34 with a salary of \$167,799.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO. 6498**

**STAFF APPOINTMENT OF ANDREW TROMBLEY AS  
DIRECTOR OF PROCUREMENT SERVICES**

---

RESOLVED, that the Board hereby appoints Andrew Trombley as Director of Procurement Services effective April 9, 2024, at salary grade 34 with a salary of \$167,799 for which funds are available in the 2024 Operating Budget, and it be further

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

Meeting No. 762

Item 9

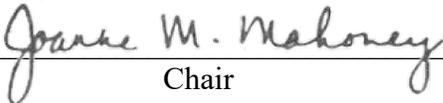
Appendix I



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Acting Executive Director

RECOMMENDATION APPROVED:

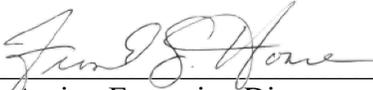


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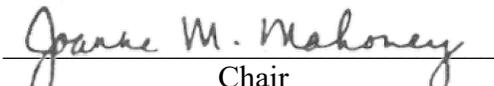
Chair



Meeting No. 762  
Item 10  
Appendix J

  
\_\_\_\_\_  
Acting Executive Director

RECOMMENDATION APPROVED:

  
\_\_\_\_\_  
Chair

Meeting No. 762  
Item 11  
Appendix K

TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: Sandra Rivera  
General Counsel

SUBJECT: Authorizing the Auction of Thruway Authority Property in the Town of Hamburg,  
Erie County

TRANSACTION:

Proposed is the sale of Real Property Reference No. TB21-2 (hereinafter, "Subject Property"), via a public auction for a minimum bid of \$3,100,000.

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 15.189 ± acres. The Town of Hamburg recently assigned a commercial zoning designation to the Subject Property.

At Meeting No. 758 held on June 27, 2023, the Board adopted Resolution No. 6437 which authorized the auction of the Subject Property. A public auction was held on October 12, 2023, but no bids were received that met or exceeded the minimum bid of \$4,965,000 established by the Board.

FORMER USE AND PRESUMED INTENDED USE:

The Subject Property is currently vacant due to the recent removal of overhead ramps at Interchange 57 and contains drainage structures (culverts, drainage pipes, ditches), utility poles, and a 3" gas line running along the northwestern and western boundaries. 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 the New York State Department of Transportation to use for drainage near the northeast corner of the Subject Property.

VALUATION:

Due to there being no bidders at the previous minimum bid price and various issues including access to the subject property and a recent change of zoning, new appraisals were ordered. In accordance with the Authority’s Real Property Management Policy, the value of the Subject Property was independently appraised by two appraisal consultants.

In a review appraisal conducted by the Office of Real Property Management (hereinafter, “ORPM”), the minimum bid price estimated to be \$3,100,000 as it was found to be most justified, defensible, and soundly reasoned.

It is recommended that the Acting Executive Director, or his 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. 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.

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. 6500**

**AUTHORIZING THE AUCTION OF THRUWAY  
PROPERTY IN THE TOWN OF HAMBURG, ERIE COUNTY**

---

RESOLVED, that the Board reaffirms Resolution No. 6437 and 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 A and B 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 of the Subject Property at a minimum-bid amount of \$3,100,000; and be it further

RESOLVED, that the Acting 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

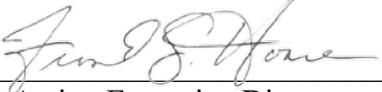
RESOLVED, that the Chief Engineer, or his designee, be and the same hereby is, authorized to execute the SEQRA Short Environmental Assessment form and SEQRA Negative Declaration, and to distribute any required documents on behalf of the Board relative to such adoption; and be it further

RESOLVED, that the Acting 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.

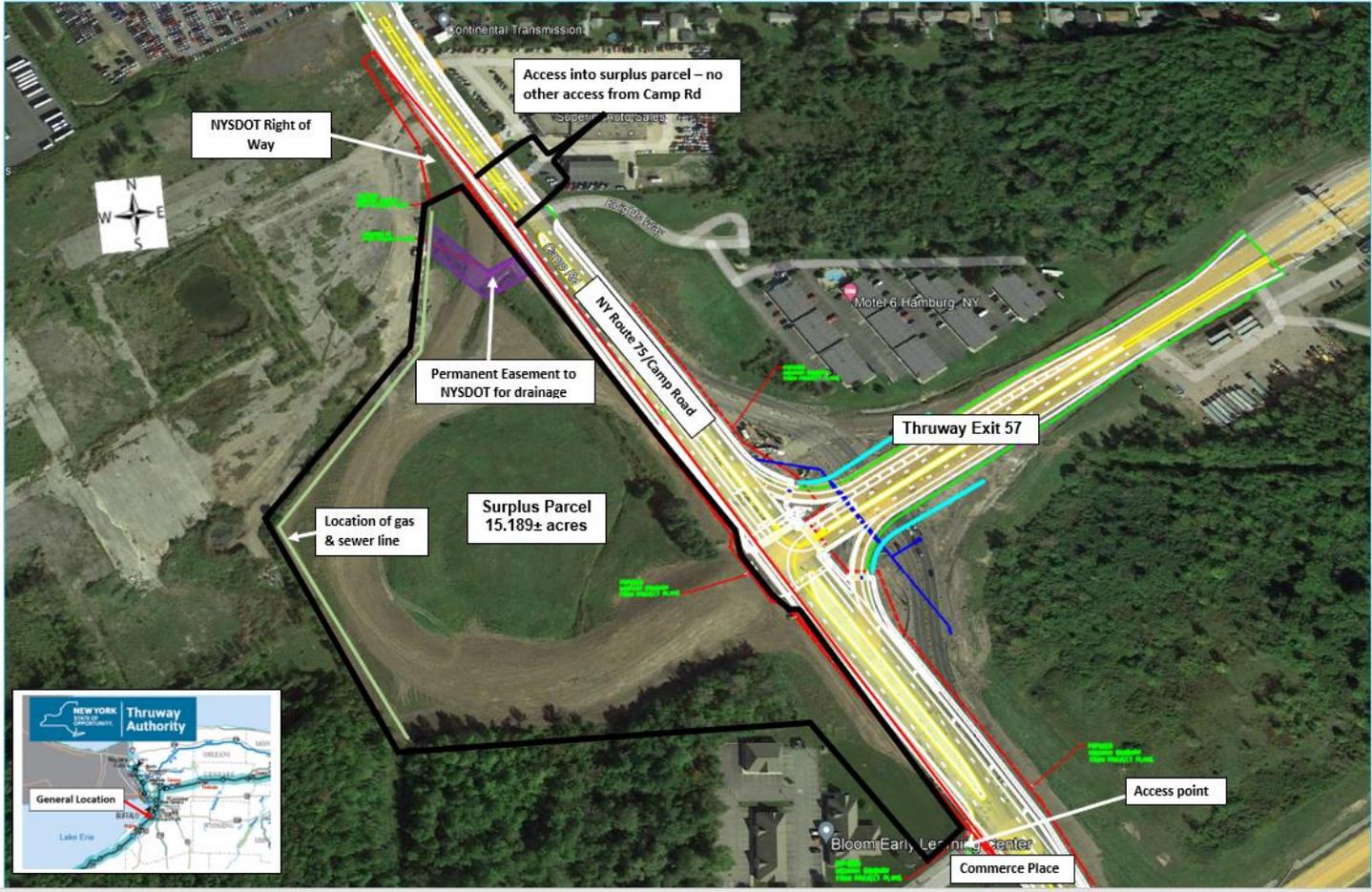
  
\_\_\_\_\_  
General Counsel

RECOMMENDATION APPROVED:

  
\_\_\_\_\_  
Acting Executive Director

**Exhibit A**

RPR# TB21-2  
Interchange 57 at NYS Route 75/Camp Road  
Town of Hamburg, Erie County  
Not to Scale – for illustrative purpose only

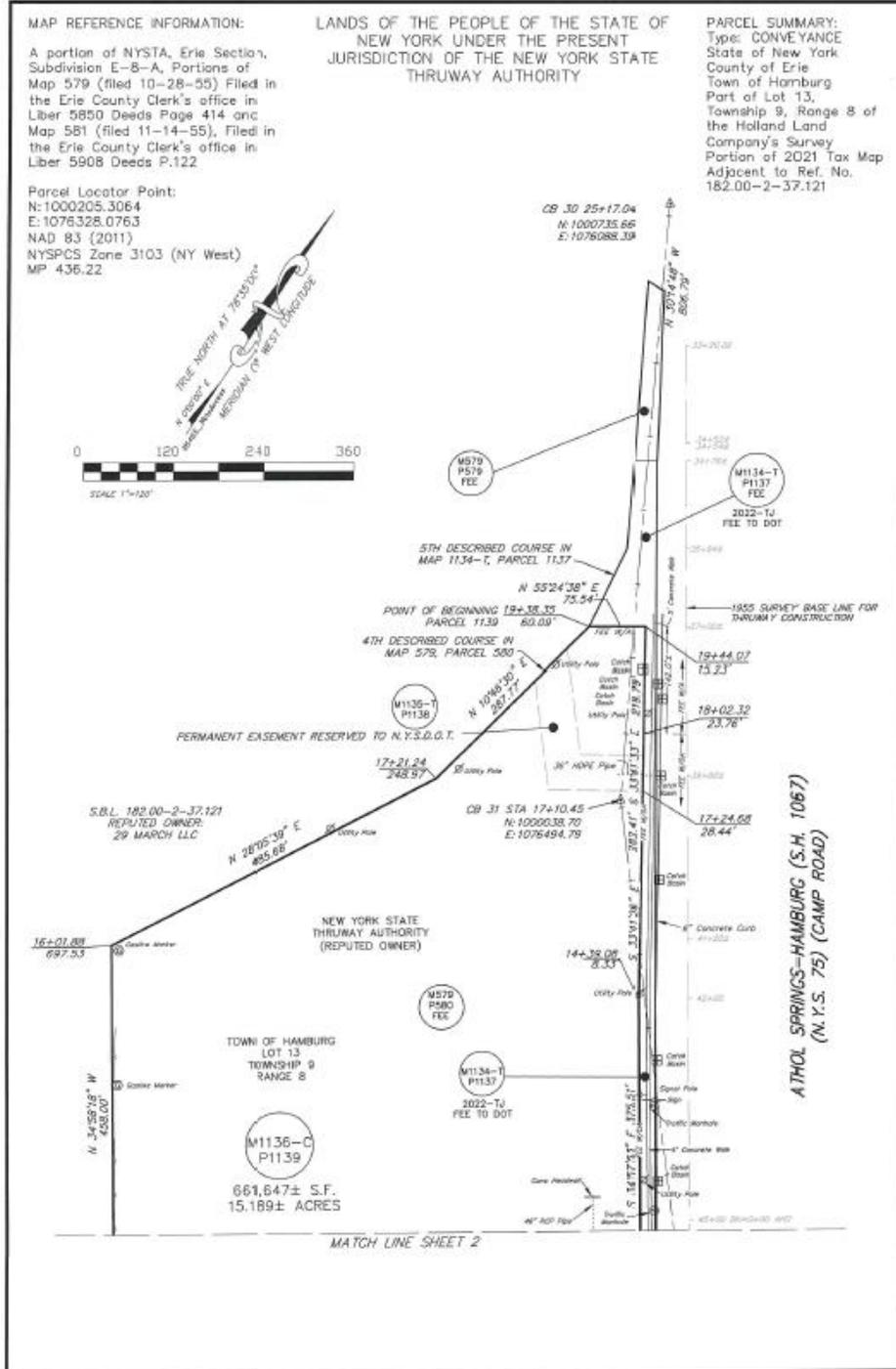


**Exhibit B**

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 1 OF 5 SHEETS

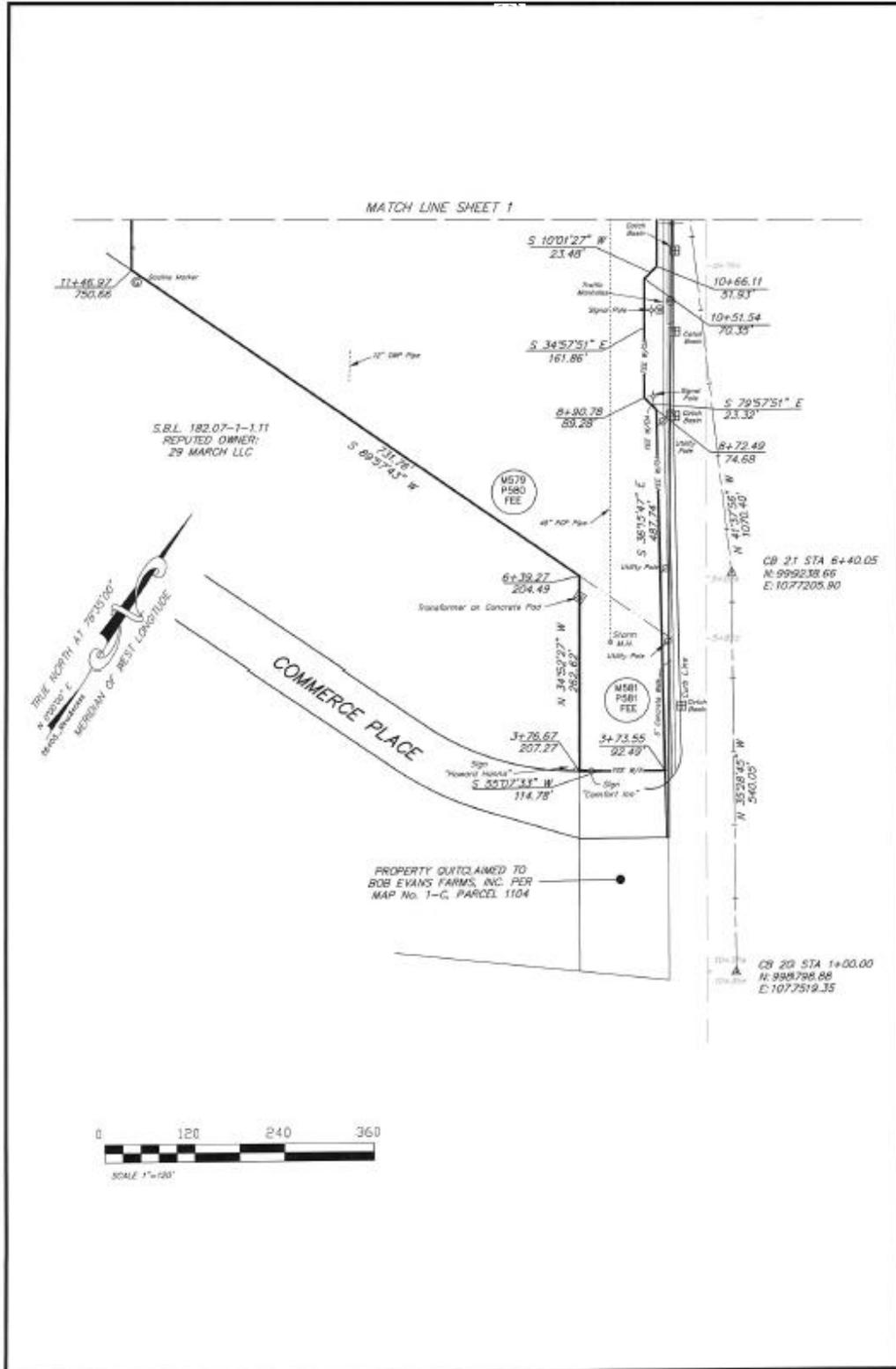


DATE ARCHIVED: \_\_\_\_\_ PREPARED BY: \_\_\_\_\_ CHECKED BY: \_\_\_\_\_ FINAL CHECK BY: \_\_\_\_\_

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. 762  
Item 12  
Appendix L

TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: James K. Konstalid  
Director of Maintenance and Operations

SUBJECT: Authorizing the Acting Executive Director to Execute an Agreement with the Town of Ulster for the Installation of a Water Transmission System and for the Provision of Water to the Ulster Service Area

Pursuant to powers set forth in Article 2, Title 9 of the Public Authorities Law, the Authority operates a Service Area in the Town of Ulster, Ulster County, New York, known as the Ulster Service Area (“Service Area”). The Authority currently provides for the Service Area’s potable water through its own facilities, but can obtain reliable water service to the Service Area by connecting to the Town of Ulster (hereinafter, “Town”) Halcyon Park Water District. The Authority and Town negotiated an agreement that allows the Authority to connect to the Halcyon Park Water District as an outside user upon the terms and conditions stated in the Agreement in Exhibit A. The Town, pursuant to Resolution Number 62 of 2024 adopted at a meeting of the Town Board held on February 15, 2024, authorized the Supervisor to execute this Agreement on behalf of the Town.

Under the Agreement, the Town will design and install a water transmission main from the existing Halcyon Park Water District Water Main on Frederick Drive through an easement it will obtain to the Service Area property line in accordance with the Plans and Specifications described in the Agreement. Upon execution of the Agreement, the Authority shall pay the Town a capital contribution of \$186,800.

Upon completion of said work, the Town shall supply metered potable water to the Service Area in the following minimum amounts:

Domestic Daily Capacity: 18,000 gallons per day average

25,000 gallons per day max daily demand

Fire Flow: 650 gallons per minutes 45 psi residual for 1 hour

The Town will charge the Authority to pay for said water service in accordance with the Town's established Annual Rate Schedule for the Service Area, as it may from time to time be amended.

The term of the Agreement will be forty (40) years from the date of execution and the Authority shall have the right to renew the Agreement for two consecutive ten (10) year terms. This item is proposed to be funded via the Authority's Department of Maintenance and Operations Operating Budget.

On the grounds of both economics and administrative expedience, we recommend that the Board authorize the Acting Executive Director to execute an Agreement with the Town of Ulster for the construction and installation of the water system described herein.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO. 6501**

**AUTHORIZING THE ACTING EXECUTIVE DIRECTOR  
TO EXECUTE AN AGREEMENT WITH THE TOWN OF  
ULSTER FOR THE INSTALLATION OF A WATER  
TRANSMISSION SYSTEM AND FOR THE PROVISION  
OF WATER TO THE ULSTER SERVICE AREA**

RESOLVED, that the Acting Executive Director, or his designee, be, and hereby is authorized to execute an Agreement with the Town of Ulster, on behalf of the Halcyon Park Water District, for the installation of a water transmission line and for the provision of water to the Ulster Service Area in accordance with the terms and conditions of the Agreement attached hereto, provided that the payments shall not exceed one million dollars; and be it further

RESOLVED, that the Agreement shall be for a term of forty years with the right to renew this Agreement for two (2) consecutive ten (10) year terms, with the Authority paying for water service in accordance with the Town's established Annual Rate Schedule for the Service Area; and and be it further

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

RESOLVED, that the Acting Executive Director, or his designees, 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

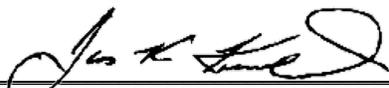
Meeting No. 762  
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Appendix L

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 sufficient funds are projected to become available through the Authority's Department of Maintenance and Operations Operating Budget; 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.

  
\_\_\_\_\_  
Director of Maintenance and Operations

RECOMMENDATION APPROVED:

  
\_\_\_\_\_  
Acting Executive Director

Meeting No. 762  
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Appendix M

TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: Brent Howard  
Chief Engineer

David Malone  
Chief Financial Officer

SUBJECT: Authorizing Funding for Projects H142.1, Pavement Rehabilitation Buffalo Division MP 351.4 to MP 362.5 H368.1, Pavement Resurfacing, MP 362.5 to 378.2, and Project H145.1, Pavement Resurfacing in the Buffalo Division from MP 430.6 to MP 438.5

This item seeks to move the letting date for the following projects to June 2024 and modify the budget of all three projects, including deferring certain safety improvements to future projects. Due to deteriorating pavement conditions, it has been determined that the work planned for in these three projects must be performed in 2024. This work will restore the pavement to appropriate driving standards and address safety and reliability concerns. All of these projects are included in the 2024-2028 Capital Program.

- Project H142.1, Pavement Rehabilitation in the Buffalo Division from MP 351.4 to MP 362.5 with a budgeted cost of \$20,000,000 and a scheduled letting date in November 2027.
- Project H368.1, Pavement Resurfacing in the Buffalo Division from MP 362.5 to 378.2 with a budgeted cost of \$33,000,000 and a scheduled letting date in February 2028.
- Project H145.1, Pavement Resurfacing in the Buffalo Division from MP 430.6 to MP 438.5 is included in the with a budgeted cost of \$15,200,000 and a scheduled

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letting date in February 2028.

Accelerating the letting dates on the projects will result in estimated cashflow of up to \$4,235,294 for H142.1, \$6,988,235 for H368.1 and \$5,878,588 for H145.1 4 in 2024.

Funding for these projects is not currently included in the 2024 Contracts Program. This item seeks authorization to carry over up to \$17,102,117 of unused capital funds from fiscal year 2023 into the 2024 Contracts Program if it is determined to be needed. In conjunction with the 2024 Revised Financial Plan, the Chief Financial Officer will report to the Board on the actual amount of capital funds, if any, that were carried over.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO.6502**

**AUTHORIZING FUNDING FOR H142.1/H368.1, TAB 24-25/D214983, PAVEMENT REHABILITATION FROM MP 351.4 to MP 378.2 & H145.1, TAB 24-23/D214981, PAVEMENT REHABILITATION FROM MP 351.4 to MP 362.5.**

---

RESOLVED, that Project Item (H142.1) in the amount of \$4,235,294 be added to the 2024 Contracts Program, Pavement Rehabilitation Buffalo Division MP 351.4 to MP 362.5, and be it further

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RESOLVED, that Project Item (H368.1) in the amount of \$6,988,235 be added to the 2024 Contracts Program, Pavement Resurfacing, MP 362.5 to 378.2, and be it further

RESOLVED, that Project Item (H145.1) in the amount of \$5,878,588 be added to the 2024 Contracts Program, Pavement Resurfacing, MP 430.6 to 438.5, and be it further

RESOLVED, that the funding be allocated to H142.1, H368.1 and H145.1; from either project deferments and bid savings in the 2024 Contracts Program or from the carry over of up to \$17,102,117 of unspent capital funding from fiscal year 2023 into the 2024 Contracts Program, and be it further

RESOLVED, that the Chief Financial Officer include in the 2024 Revised Financial Plan and report to the Board the actual amount of unused capital funds from fiscal year 2023 that were used to fund the 2024 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 contracts, manage and administer the contracts, amend the provisions of the contracts consistent with the

Meeting No. 762  
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terms of this Item and other Board authorizations and suspend or terminate the contracts 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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Chief Engineer

RECOMMENDATION APPROVED:



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Acting Executive Director

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TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: Brent Howard  
Chief Engineer

SUBJECT: Authorizing the Execution of Agreement D214972 with ALRA Engineers, P.C.

In accordance with Authority policy, ALRA Engineers, P.C. has been designated to provide services through agreement D214972; as presented in Exhibit A. Board authorization is requested to execute an agreement with ALRA Engineers, P.C. for Construction Inspection in the NY Division. Sufficient funding for agreement D214972 is provided for in the 2024-2028 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO.6503**  
**AUTHORIZING THE EXECUTION OF AGREEMENT D214972**  
**WITH ALRA ENGINEERS, P.C.**

---

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214972 with ALRA Engineers, 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 2024 Contracts Program Resolution and other Board

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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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Acting Executive Director

Meeting No. 762  
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EXHIBIT A  
 Agreements for Engineering Services  
 D214972

D No./Agreement/ Designation Date	Firm/Address	MAP/ Contracts Program Item No.	Term of Agreement	M/WBE and SDVOB Firms/Goals
D214972, Term Agreement for Construction Inspection (CI) Support Services NY Division, March 20, 2024	ALRA Engineers, P.C. 1 Blue Hill Plaza Suite 1501 Pearl River, NY 10965	\$3,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.	Three years, with an option for the Authority to extend for one (1) additional one (1) year term	<ul style="list-style-type: none"> <li>• Dewberry Engineers Inc.</li> <li>• Hudson Valley Engineering Associates P.C. dba HVEA Engineers</li> <li>• W. Allen Engineering, PLLC</li> </ul> <p>Goals: 30% M/WBE and 6% SDVOB</p>

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TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: Brent Howard  
Chief Engineer

SUBJECT: Authorizing the Execution of Agreement D214973 with Erdman Anthony and Associates, Inc. (d.b.a. Erdman Anthony)

In accordance with Authority policy, Erdman Anthony and Associates, Inc. (d.b.a. Erdman Anthony). has been designated to provide services through agreement D214973; as presented in Exhibit A. Board authorization is requested to execute an agreement with Erdman Anthony and Associates, Inc. (d.b.a. Erdman Anthony) for Construction Inspection in the Syracuse Division. Sufficient funding for agreement D214973 is provided for in the 2024-2028 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO. 6504**  
**AUTHORIZING THE EXECUTION OF AGREEMENT D214973**  
**WITH ERDMAN ANTHONY (D.B.A. ERDMAN ANTHONY).**

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214973 with Erdman Anthony and Associates, Inc. (d.b.a. Erdman Anthony) 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 2024 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

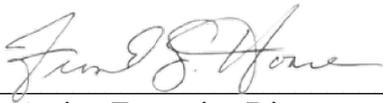
RESOLVED, that this resolution be incorporated in the minutes of this meeting.



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Chief Engineer

RECOMMENDATION APPROVED:



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Acting Executive Director

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EXHIBIT A  
 Agreements for Engineering Services  
 D214973

<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>
D214973, Term Agreement for Construction Inspection (CI) Support Services Syracuse Division, March 18, 2024	Erdman Anthony and Associates, Inc. (d.b.a. Erdman Anthony) 145 Culver Road, Suite 200 Rochester, NY 14620	\$4,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.	Three years, with an option for the Authority to extend for one (1) additional one (1) year term	<ul style="list-style-type: none"> <li>• Prudent Engineering, LLP</li> <li>• Tolman Engineering, Architecture &amp; Surveying, PLLC, dba Patriot Design &amp; Consulting (Patriot)</li> </ul> <p>Goals: 30% M/WBE and 6% SDVOB</p>

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TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: Brent Howard  
Chief Engineer

SUBJECT: Authorizing the Execution of Agreement D214974 with Stantec Consulting Services, Inc.

In accordance with Authority policy, Stantec Consulting Services, Inc. has been designated to provide services through agreement D214974; as presented in Exhibit A. Board authorization is requested to execute an agreement with Stantec Consulting Services, Inc. for Design Services Statewide. Sufficient funding for agreement D214974 is provided for in the 2024-2028 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO. 6505**  
**AUTHORIZING THE EXECUTION OF AGREEMENT D214974**  
**WITH STANTEC CONSULTING SERVICES, INC.**

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214974 with Stantec Consulting Services, 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 2024 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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Acting Executive Director

EXHIBIT A  
 Agreements for Engineering Services  
 D214974

<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>
D214974, Term Agreement for Design Support Services Statewide, March 20, 2024	Stantec Consulting Services, Inc. 3 Columbia Circle, Suite 6, Albany, New York 12203	\$3,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.	Three years, with an option for the Authority to extend for one (1) additional two (2) year term	<ul style="list-style-type: none"> <li>• Popli, Architecture + Engineering &amp; L.S., D.P.C.</li> <li>• KC Engineering and Land Surveying, P.C.</li> <li>• Atlantic Testing Laboratories Limited</li> <li>• Tolman Engineering, Architecture &amp; Surveying, PLLC</li> <li>• Hayduk Engineering, LLC</li> </ul> <p>Goals: 30% M/WBE and 6% SDVOB</p>

TO: The Thruway Authority Board

DATE: April 9, 2024

FROM: Brent Howard  
Chief Engineer

SUBJECT: Authorizing the Execution of Agreement D214976 with GPI Engineering  
Landscape Architecture and Surveying, LLP.

In accordance with Authority policy, GPI Engineering Landscape Architecture and Surveying, LLP has been designated to provide services through agreement D214976; as presented in Exhibit A. Board authorization is requested to execute an agreement with GPI Engineering Landscape Architecture and Surveying, LLP for Preliminary Engineering Services Statewide. Sufficient funding for agreement D214976 is provided for in the 2024-2028 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO. 6506**

**AUTHORIZING THE EXECUTION OF AGREEMENT D214976  
WITH GPI ENGINEERING LANDSCAPE ARCHITECTURE AND  
SURVEYING, LLP**

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214976 with GPI Engineering Landscape Architecture and Surveying, LLP 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 2024 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

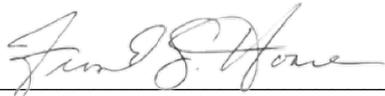
RESOLVED, that this resolution be incorporated in the minutes of this meeting.



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Chief Engineer

RECOMMENDATION APPROVED:



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Acting Executive Director

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 Appendix Q

EXHIBIT A  
 Agreements for Engineering Services  
 D214976

<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>
D214976, Term Agreement for Preliminary Engineering Support Services, March 27, 2024	GPI Engineering, Landscape Architecture and Surveying, LLP 80 Wolf Road, Suite 600 Albany, New York 12205	\$3,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation	Three years, with an option for the Authority to extend for one (1) additional two (2) year term	<ul style="list-style-type: none"> <li>• Prudent Engineering LLP (MBE)</li> <li>• Hudson Valley Engineering Associates, P.C. (WBE)</li> <li>• KC Engineering and Land Surveying, P.C. (MBE)</li> <li>• Tolman Engineering, Architecture &amp; Surveying, PLLC, dba Patriot Design &amp; Consulting (Patriot) (SDVOB)</li> </ul> <p>Goals: 30% M/WBE and 6% SDVOB</p>

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TO: The Thruway Authority Board

Date: April 9, 2024

FROM: Brent Howard, P.E.  
Chief Engineer

SUBJECT: Increasing the Maximum Amount Payable and Authorizing Additional Funding for TANY 23-7/D214911, New York Division: On-Demand Repair Contract - 2023 -2024.

TANY 23-7/D214911, New York Division: On-Demand Repair Contract - 2023 -2024 was let on January 18th, 2023. The low bid of \$2,974,100.00 was submitted by HVB Construction Inc.

As presented in the attached additional funds memorandum (Exhibit A), at this time, approximately an additional \$2,930,000 is needed to fund past and current emergency assignments under this contract. Additional Authorization is sought for \$250,000 in the event of an emergency condition prior to the new On-Demand Contract being fully executed. Total Authorization is requested to not exceed \$6,424,100.

The additional funding to complete New York Division: On-Demand Repair Contract - 2023 -2024 is available from project deferments and/or bid savings in the 2024 Contracts Program. Board approval is requested for an additional \$3,450,000 in authorization.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO. 6507**

**AUTHORIZING AN INCREASE TO THE MAXIMUM AMOUNT PAYABLE AND AUTHORIZING ADDITIONAL FUNDING FOR TANY 23-7/D214911, NEW YORK DIVISION: ON-DEMAND REPAIR CONTRACT - 2023 -2024.**

RESOLVED, that \$2,930,000 in additional funding be allocated to TANY 23-7/D214911, New York Division: On-Demand Repair Contract - 2023 -2024 from project deferments and bid savings from the 2024 Contracts Program, and be it further

RESOLVED, that the additional authorization in the amount of \$3,450,000 be approved to TANY 23-7/D214911, New York Division: On-Demand Repair Contract - 2023 -2024 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

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Appendix R

minutes of this meeting.



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Chief Engineer

RECOMMENDATION APPROVED:



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Acting Executive Director



**Additional Funding Request OOC- SA  
Order on Contract-Supplemental Agreement**

Date:		Subject:	Division:
To:			
From:			

**Explanation:**

**Additional Funds Request:**

<b>Original Contract Value:</b>	
<b>Any Prior Approved Additional Funds Memo amount: Memo ID:</b>	
<b>Increase Amount Requested Currently: (                    )</b>	
<b>Revised Contract Value:</b>	
<b>Disbursement Schedule:</b>	

**Approved Authorization and Funding:**



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Item 19  
Appendix S

TO: The Thruway Authority Board  
FROM: Brent Howard  
Chief Engineer

DATE: April 9, 2024

SUBJECT: Authorizing Additional Funding, Title Change, and Schedule Change for Project B229.1, New York Division - On-Demand Repair Contract - 2025-2026

Project B229.1, New York Division - On-Demand Repair Contract - 2025-2026 is included in the 2024-2028 Capital Program with a budgeted cost of \$3,000,000 and a scheduled letting date in October 2024.

Due to several high usage incidents in 2024, the current on demand contract, TANY 23-7 D214911 NY On-Demand 2023-2024, the previously approved resolution increased the maximum amount payable of such contract to cover existing assignments and future assignments should the need arise. In order to foster competition and opportunity for all vendors, this item seeks to move the letting date for this project to the second quarter of 2024, change the title of the project and modify the budget to reflect current Authority needs.

This items seeks authorization to allocate \$5,000,000 in the 2024 Contracts Program for Project B229.1. Funding will be available from project deferments and/or bid savings from the 2024 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO. 6508**

**AUTHORIZING ADDITIONAL FUNDING, TITLE  
CHANGE AND SCHEDULE CHANGE FOR PROJECT  
B229.1, NEW YORK DIVISION - ON-DEMAND REPAIR  
CONTRACT - 2025-2026**

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RESOLVED, that Project Item (B229.1) in the amount of \$5,000,000 be accelerated in the 2024 Contract Program, and be it further

RESOLVED, that Project Item (B229.1), be authorized to change the Title of the Item to B229.1, New York Division - On-Demand Repair Contract - 2024-2026 and be it further

RESOLVED, that the scheduled letting date for B229.1 be authorized to be accelerated from the 4<sup>th</sup> Quarter of 2024 to the 2<sup>nd</sup> Quarter of 2024, and be it further

RESOLVED, that the funding for B229.1 be authorized; from project deferrals and/or bid savings in the 2024 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

Meeting No. 762  
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Appendix S

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.



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Chief Engineer

RECOMMENDATION APPROVED:



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Acting Executive Director

Meeting No. 762  
Item 20  
Appendix T

TO: The Thruway Authority Board

Date: April 9, 2024

FROM: Brent Howard, P.E.  
Chief Engineer

SUBJECT: Authorizing Additional Funding for TANY 24-8/D214964, MP 46.0 to MP 60.1: Mill to Concrete/ 4" Overlay in the New York Division

TANY 24-8/D214964, MP 46.0 to MP 60.1: Mill to Concrete/ 4" Overlay in the New York Division was let on February 28, 2024. The low bid of \$36,578,827 was submitted by Crisdel Group, Inc.

As presented in the attached additional funds memorandum (Exhibit A), at this time, an additional \$8,578,827 is needed to complete the project as a result of cost increases. A majority of the cost increase was due to market forces increasing the cost of asphalt and concrete, as well as the relatively remote area of the project.

The additional funding to complete the project is available from project deferments and bid savings from the 2024 Contracts Program. Board authorization is requested to approve an additional \$8,578,827 for TANY 24-8/D214964, thus revising the contract value to \$36,578,827.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

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**RESOLUTION NO. 6509**

**AUTHORIZING ADDITIONAL FUNDING FOR TANY 24-8/D214964,  
MP 46.0 TO MP 60.1: MILL TO CONCRETE/ 4" OVERLAY IN THE  
NEW YORK DIVISION**

---

RESOLVED, that an additional \$8,578,827 (revising the total contract value to \$36,578,827) for TANY 24-8/D214964, MP 46.0 to MP 60.1: Mill to Concrete/ 4" Overlay 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 24-8/D214964 from project deferments and/or bid savings from the 2024 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.

Meeting No. 762  
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Appendix T



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Chief Engineer

RECOMMENDATION APPROVED:



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Acting Executive Director



KATHY HOCHUL
Governor

JOANNE M. MAHONEY
Chair

FRANK G. HOARE, ESQ.
Acting Executive Director

Memorandum

TO: Brent Howard, P.E.

DATE: March 26, 2024

FROM: Al Mastroianni, P.E.

SUBJECT: TANY 24-8
D214964
I-87 MP 47.6-60.1
2" Mill & Inlay, Safety Improvements,
and Miscellaneous Work
Bid Analysis

Table with 2 columns and 3 rows containing project details such as Letting Date, Budget, and Bid Analysis.

The non-bidding General Contractor (GC) plan buyers were contacted to find out why they did not submit a bid. One GC said they did not have the crews. Three said it was the location and schedule that prevented them from bidding. Another one said it was just the schedule. One GC did not respond. Based on the responses received, the schedule, location and large number of repairs were the primary factors for GCs not bidding.

The bid analysis for the low bidder is attached. The quantities for the items bid 25% or more over the EE and the quantities for the items bid 75% or more below the EE were checked and appear reasonable. The low bidder stated that the repairs require two separate crews working at night and that disposal related costs are higher due to disposal areas being only available in the daytime. Six of the low bidder items accounted for a total difference of \$7,871,565.68 above the estimate unit price total for these items. These items are associated with the full and partial depth repairs. Both bidders were in the same unit price range for these items having significantly higher unit prices than the estimate. The quantities, unit prices and low bidder reasons for these item unit prices in order of largest to smallest unit price difference are:

ITEM 490.30 - MISCELLANEOUS COLD MILLING OF BITUMINOUS CONCRETE (SY)

48,800 Square Yards
EE: \$1,073,600.00 (\$22/SY)
BID: \$4,299,768.00 (\$88.11/SY)
Dollars and Percent Variance compared to E.E. +\$3,226,168.00 / +400%
Average Bid Price (2 bidders): \$77.31 /SY

The contractor indicated their bid reflects having two independent crews, one for milling and one for asphalt, anticipating 20 to 21 repairs per night for 2,481 partial depth repairs which account for 85% of the repairs' total quantity.



**ITEM 619.24 - NIGHTTIME OPERATIONS (LS)**

EE: \$792,101.28

BID: \$2,146,001.55

Dollars and Percent Variance compared to E.E. \$1,353,900.27 / +271%

Average Bid Price (2 bidders): \$4,651,077.82

The contractor indicated their bid reflects having the arrow boards, signs and the labor to bring them out and back is in the Basic Work Zone Traffic Control. The cost of the light towers and cost of turning them on and off is in this item.

**ITEM 404.197901 - 19 F9 BINDER COURSE ASPHALT, 70 SERIES COMPACTION (TON)**

15,614 Ton

EE: \$2,966,660.00 (\$190/TON)

BID: \$4,299,768.00 (\$275.01 /TON)

Dollars and Percent Variance compared to E.E. \$1,327,346.14/ +145%

Average Bid Price (2 bidders): \$291.96 /TON

The contractor indicated their bid reflects having 2,481 partial depth repairs each of which involves putting the compacted asphalt in about 20 patches per night.

**ITEM 619.01 - BASIC WORK ZONE TRAFFIC CONTROL (LS)**

EE: \$2,800,000

BID: \$3,912,160.63

Dollars and Percent Variance compared to E.E. \$1,112,160.63 / +140%

Average Bid Price (2 bidders): \$4,651,077.82

The contractor indicated their bid reflects having signs, drums, cones, attenuator, every night for 160 to 165 nights with a traffic crew with crew costs dedicated to traffic control. Costs are dependent on the job. It is higher than normal because of the number of repairs and the number of days and nights. There are 120 nights of lane closures just for the patches (repairs). The patches (repairs) are driving the costs due to approximately 2500 FDRs and PDRs for an average of 15 per night for 110 nights of lane closures.

**ITEM 203.02 UNCLASSIFIED EXCAVATION AND DISPOSAL (CY)**

4,433 Cubic Yards

EE: \$487,630.00 (\$110/CY)

BID: \$985,455.90 (\$222.30 /CY)

Dollars and Percent Variance compared to E.E. +\$497,825.90 / +202 %

Average Bid Price (2 bidders): \$208.45 /CY

The contractor indicated their bid reflects escalating disposal fees, and less than ideal anticipated production rates for the nighttime Ramp A & B shoulder box outs.

It is our opinion that the low bid prices are reasonable and represent the true cost of the work. 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 low bidder, Crisdel Group Inc. The additional \$6,863,061.59 in 2024 cash flow needed for this project is available from bid savings, and contract deferments if necessary. 2025 cash flow of \$1,715,765.40 will be adjusted in the 2025-2030 Capital Program.



# Thruway Authority

**KATHY HOCHUL**  
Governor

**JOANNE M. MAHONEY**  
Chair

**FRANK G. HOARE, ESQ.**  
Acting Executive Director

Upon receiving the necessary approvals, we will progress towards the award of this contract. Should you have any questions concerning this matter, please contact our Project Manager, John MacDonald, or myself.

\_\_\_\_\_  
Director, Office of Design

Reviewed by Director of Capital & Contracts Management \_\_\_\_\_ (Initials)

I Approve:

\_\_\_\_\_  
Brent E. Howard, P.E - Chief Engineer

\_\_\_\_\_  
Date

Funds Allocated:

\_\_\_\_\_  
Dave Malone- Chief Financial Officer

\_\_\_\_\_  
Date

I Approve:

\_\_\_\_\_  
Frank G. Hoare, Esq, Acting Executive Director

\_\_\_\_\_  
Date

Attachment

- Cc: Division Director – **(Vacant) Forward to Tom Feeley and James Konstalid**  
 Div. Capital Plan Manager – **(Vacant) Forward to Kristen Resnikoff**  
 Division ADDES – **Kristen Resnikoff**  
 Director, Maintenance and Operations – **James Konstalid**  
 Deputy Chief Engineer & Director of Capital Program Delivery – **Bob Cournoyer**  
 Design Bureau Director – **Bob Cournoyer – Highway Design**  
 Director of Thruway Transp. Planning & Environmental Services – **Kara Phillips**  
 Director, OCM – **Charles Whetstone**  
 Director, Office of Procurement Services – **Andrew Trombley**  
 Capital Program and Contract Management Unit – **Ron Smith, Angelo Zullo**  
 NY Division Projects – **Kristen Resnikoff**

Meeting No.	762
Item	21
Appendix	U

TO: The Thruway Authority Board

Date: April 9, 2024

FROM: Brent Howard, P.E.  
Chief Engineer

SUBJECT: Authorizing Scope Increase and Additional Funding for B776.2 Bridge  
Preservation for MP 29.54 - Thruway over Suffern-Mt. Ivy Route 202 in the  
New York Division

B776.2 Bridge Preservation for MP 29.54 - Thruway over Suffern-Mt. Ivy Route 202 in the New York Division is scheduled to be let on June 5, 2024. This item requests a change to the scope of the project to include necessary joint replacement at an adjacent bridge - MP 29.41 Thruway over Mahwah River. Given the proximity of the two bridges this is the most cost-effective approach to completing the work required at MP 29.41.

The current budget of \$10,000,000 has been determined to be insufficient to complete the project. As detailed in the attached additional funds memorandum (Exhibit A), a budget increase of \$4,000,000 is being requested. The additional funding to complete B776.2 Bridge Preservation for MP 29.54 - Thruway over Suffern-Mt. Ivy Route 202 and MP 29.41 Thruway over Mahwah River in the New York Division will be available from project deferrals and/or bid savings from the 2024 Contracts Program. Board authorization is requested to approve an additional \$4,000,000, thus revising the project's contract value to \$14,000,000.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

**RESOLUTION NO. 6510**

**AUTHORIZING SCOPE INCREASE AND ADDITIONAL FUNDING FOR B776.2 BRIDGE PRESERVATION FOR MP 29.54 - THRUWAY OVER SUFFREN-MT. IVY ROUTE 202 IN THE NEW YORK DIVISION**

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RESOLVED, that an additional \$4,000,000 in funding, thereby revising the total project’s contract value to \$14,000,000, for B776.2 Bridge Preservation for MP 29.54 - Thruway over Suffern-Mt. Ivy Route 202 in the New York Division is authorized, and be it further

RESOLVED, that the scope of the project be expanded to include the necessary joint replacement at MP 29.41 Thruway over Mahwah River, and be it further

RESOLVED, that the additional funding be allocated to B776.2 from project deferments and/or bid savings from the 2024 Contracts Program, and be it further

Meeting No. 762  
Item 21  
Appendix U

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.



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Chief Engineer

RECOMMENDATION APPROVED:



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Acting Executive Director



**Additional Funding Request Prior to Let**

<b>Date:</b>		<b>Subject:</b>	<b>Division:</b>
<b>To:</b>			
<b>From:</b>			

**Project Description:**

**The following table reflects the approved and current funding:**

All costs in Millions	Approved Construction Cost	Engineer's Estimate	Approved Cash Year:	Revised Cash Flow Year:

**Reasons for Increase:**

**Conclusion:**

