



BOARD OF DIRECTORS MEETING

JUNE 27, 2023

ALBANY, NEW YORK



BOARD MEETING AGENDA

Meeting Number 758

June 27, 2023

Albany, New York

A. Public Comment Period on the Agenda Items

B. Consent Items

1. To consider and act upon the Minutes of Thruway Authority Board Meeting No. 757
2. Review and Approval of the January, February & March 2023 Financial Reports
3. Approval of the Authority's Investment Transactions –First Quarter 2023

C. Action Items

4. Authorization for the Interim Executive Director to Approve 2023-2025 Salary Actions for Management/Confidential Employees
5. Authorizing the Executive Director to execute a Non-Engineering Personal Services Contract with I-Site, Inc.
6. Authorizing the Executive Director to execute a Non-Engineering Personal Services Contract with Oracle
7. Authorizing the Interim Executive Director to Execute an Agreement with the Canal Society of New York State to Operate the Port Byron Old Erie Canal Heritage Park
8. Reaffirming Previously Approved Board Resolution No. 6343 Declaring Real Property Reference No. TN20-3 - Subject Property B, Located in the Town of Clarkstown and County of Rockland, as Not Necessary for Authority Corporate Purposes and Authorizing the Negotiated Sale Thereof
9. Amending Resolution 6421 Declaring Full Jurisdiction Over Title, Real Property Reference No. TB22-4 Located in the Town of Hamburg and County of Erie, as Not Necessary for the Authority's Corporate Purposes; and Consenting to the Transfer of Such Full Jurisdiction to the New York State Department of Transportation
10. Amending Resolution 6420 Declaring Real Property Reference No. TB21-2, Located in the Town of Hamburg and County of Erie, as Not Necessary for Authority Corporate Purposes and Authorizing the Auction Thereof

11. Authorizing Additional Funding for TAA 23-13B/D214916, MP 111.13 and 113.22 Bridge Preservation
12. Authorizing Additional Funding for TAN 23-15/D214897A, Structural Steel Repairs, Seismic Retrofits, & Light Pole Replacements of the North Grand Island Bridges and Light Pole Replacements of the South Grand Island Bridges in Erie and Niagara counties; Buffalo Division
13. Authorizing the Execution of Agreement D214917 with Stantec Consulting Services, Inc.

D. Report to the Board

14. Report on Procurement Contracts and Other Agreements Up to \$500,000 Executed by the Executive Director During the Period January 1, 2023 Through March 31, 2023
15. Report from Interim Executive Director Frank Hoare

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

F. Other Business

G. Adjournment

Meeting No. 757
Item 1
Appendix A

TO: The Thruway Authority Board

DATE: June 27, 2023

FROM: Tanya M. Morris
Secretary

SUBJECT: Approval of Minutes of Board Meeting No. 756

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

RECOMMENDATION

It is recommended that the Minutes of Board Meeting No. 756 held on March 27, 2023 be approved by the Board.



Secretary

RECOMMENDATION APPROVED:



Interim Executive Director



**MINUTES
NEW YORK STATE THRUWAY AUTHORITY
BOARD MEETING NO. 757
March 27, 2023**

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

The meeting of the New York State Thruway Authority Board opened in session for the consideration of various matters. These minutes reflect only the items considered by the New York State Thruway Authority Board. The meeting began approximately at 1:40 p.m.

The following committee members were present:

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

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

Staff present:

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

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

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

PUBLIC COMMENT PERIOD RELATED TO THE MEETING AGENDA

Chair Mahoney asked Ms. Morris if there were any public comments. Ms. Morris stated there were no comments.

Item 1 by Chair Mahoney (Appendix A) **Approval of the Minutes of Meeting No 756**

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. 756 held December 5, 2022, which was made available to the Board Members as part of the Agenda.

Item 2 by Matt Howard (Appendix B) **Financial Report– October, November & December 2022**

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

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

Upon motion duly made and seconded, the Board accepted the Financial Reports for October, November & December.

Item 3 by Matt Howard (Appendix C) **Approval of the Authority's Investment Transactions –Fourth Quarter 2022**

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

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

Upon motion duly made and seconded, the Board approved the Item.

Item 4 by Matt Howard (Appendix D) **Approval of the Authority's Annual Investment Report**

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

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

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

RESOLUTION NO. 6410

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.

Item 5 by Matt Howard (Appendix E)
Annual Report of the 2022 Procurement Contracts.

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 Annual Report of the 2022 Procurement Contracts.

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

RESOLUTION NO. 6411

ANNUAL REPORT OF 2022 PROCUREMENT
CONTRACTS

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

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

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

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

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

Item 6 by Brendan Kennedy (Appendix F)
Report of BST & Co. CPAs, LLC's Audit of the Authority's Financial Statements,
Report on Compliance with Investment Guidelines and Required Communications
to the Authority's Board

Mr, Kennedy presented the Item and it was advanced to the Board at the recommendation of the Audit Committee.

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

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

RESOLUTION NO. 6412

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

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

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

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

Item 7 by Joe Igoe (Appendix G)
Amending the Thruway Authority's Bylaws

Mr. Igoe presented the Item, and it was advanced to the Board at the recommendation of the Governance Committee.

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 Amending of the Thruway Authority's Bylaws and adopted the following resolution:

RESOLUTION NO. 6413

AMENDING THE THRUWAY AUTHORITY BYLAWS

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

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

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

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

Item 8 by Joe Igoe (Appendix H)
Review and Approval of Real Property Management Policy, Personal Property Disposal Policy, Procurement Contracts Policy, Whistleblower Policy, Code of Ethics Governing Employees, and Code of Ethics Governing Board Members

Mr. Igoe presented the Item and it was advanced to the Board at the recommendation of the Governance Committee.

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

RESOLUTION NO. 6414

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

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

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

Item 9 by Matt Trapasso(Appendix I)
Appointing Frank Hoare as Interim Executive Director

Mr. Trapasso presented the resolution for Appointing Frank Hoare as Interim Executive Director.

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 Appointing Frank Hoare as Interim Executive Director and adopted the following resolution:

RESOLUTION NO. 6415

APPOINTING FRANK HOARE AS INTERIM EXECUTIVE DIRECTOR

RESOLVED, that the Board of the New York State Thruway Authority hereby appoints General Counsel Frank Hoare as Interim

Executive Director of the New York State Thruway Authority
effective December 20, 2022, and be it further

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

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

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

Item 10 by Matt Trapasso (Appendix J)
Authorization for the Interim Executive Director to Execute a Collective Bargaining
Agreement Between the Thruway Authority and Local 456, New York State Thruway
Employees International Brotherhood of Teamsters

Mr. Trapasso presented the resolution for Authorizing the Interim Executive Director to Execute a Collective Bargaining Agreement Between the Thruway Authority and Local 456, New York State Thruway Employees International Brotherhood of Teamsters.

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 Collective Bargaining Agreement Between the Thruway Authority and Local 456, New York State Thruway Employees International Brotherhood of Teamsters and adopted the following resolution:

RESOLUTION NO. 6416

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

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

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

RESOLVED, that the Interim Executive Director or his designee be, and hereby is, authorized to enter into Memoranda of Understanding or Settlement Agreements with representatives of Local 456 to clarify or otherwise settle questions or disputes regarding the interpretation and application of the Agreement; and be it further

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

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

Item 11 by Matt Trapasso(Appendix K)

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

Mr. Trapasso presented the resolution for Authorizing the Interim Executive Director to Approve Geographic Pay Differential for Select Maintenance Titles.

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 Interim Executive Director to Approve Geographic Pay Differential for Select Maintenance Titles and adopted the following resolution:

RESOLUTION NO. 6417

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

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

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

Item 12 by Joe Igoe (Appendix L)

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

Mr. Igoe presented the resolution for Authorizing the Interim Executive Director to Execute Agreements for Outside Counsel Services.

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

Upon motion duly made and seconded, Authorizing the Interim Executive Director to Execute Agreements for Outside Counsel Services and adopted the following resolution:

RESOLUTION NO. 6418

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

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

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

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

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

Item 13 by Joe Igoe (Appendix M)
Authorizing the Interim Executive Director to Execute a Contract Amendment with Whiteman, Osterman & Hanna, LLP for Outside Counsel Services

Mr. Igoe presented the resolution for Authorizing the Interim Executive Director to Execute a Contract Amendment with Whiteman, Osterman & Hanna, LLP for Outside Counsel 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 Interim Executive Director to Execute a Contract Amendment with Whiteman, Osterman & Hanna, LLP for Outside Counsel Services and adopted the following resolution:

RESOLUTION NO. 6419

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

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

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

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

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

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

Item 14 by Joe Igoe (Appendix N)

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

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

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

Upon motion duly made and seconded, the Board authorized Real Property Reference No. TB21-2 in the Town of Hamburg and County of Erie and adopted the following resolution:

RESOLUTION NO. 6420

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

RESOLVED, that the Board hereby finds, determines and declares that all remaining right, title and interest in and to Real Property Reference No. TB21-2 (hereinafter, "Subject Property"), as

shown and delineated on Exhibits I and II attached hereto and made a part hereof, is not necessary for the Authority's corporate purposes and, therefore, available for auction subject to the reservation of a drainage easement for the People of the State of New York; and be it further

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

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

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

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

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

Item 15 by Joe Igoe (Appendix O)

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

Mr. Hoare presented the Real Property Reference No. TB22-4 Located in the Town of Hamburg and County of Erie.

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

Upon motion duly made and seconded, Board Authorized Real Property Reference No. TB22-4 and adopted the following resolution:

RESOLUTION NO. 6421

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

RESOLVED, that full jurisdiction over title in and to certain real property designated as Real Property Reference No. TB22-4 (hereinafter, "Subject Property") and shown on, and described in Exhibit I attached hereto and made a part hereof, is hereby found to

be not necessary for the Authority's corporate purposes; and be it further

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

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

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

Item 16 by Jim Konstalid(Appendix P)

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

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

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

Upon motion duly made and seconded, the Board Authorized the Agreement with Geocomp Corporation and adopted the following resolution:

RESOLUTION NO. 6422

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

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

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

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

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

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

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

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

Item 17 by Jim Konstalid (Appendix Q)

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

Mr. Konstalid presented the resolution for Authorizing the Interim Executive Director to Execute a Second Amendment to Agreement C010601 with Mission Critical Partners, LLC for Tiburon CAD/RMS System Support.

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 a Second Amendment to Agreement C010601 with Mission Critical Partners, LLC for Tiburon CAD/RMS System Support and adopted the following resolution:

RESOLUTION NO. 6423

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

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

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

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

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

Item 18 by Diana Nebiolo (Appendix R)

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

Ms. Nebiolo presented the resolution for Authorizing the Interim Executive Director to Execute an E-ZPass Interoperability (EZIOP) HUB Third-Party Beneficiary Agreement and to Pay Annual E-ZPass Interagency (IAG) Membership Dues.

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

RESOLUTION NO. 6424

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

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

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

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

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

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

Item 19 by Rich Lee (Appendix S)
Authorizing the Execution of Agreement D214918 with, Atlantic Testing Laboratories, Limited

Mr. Lee presented the resolution for Authorizing the Execution of Agreement D214918 with, Atlantic Testing Laboratories, Limited.

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 Agreement D214918 with, Atlantic Testing Laboratories, Limited and adopted the following resolution:

RESOLUTION NO. 6425

**AUTHORIZING THE EXECUTION OF AGREEMENT D214918
WITH ATLANTIC TESTING LABORATORIES, LIMITED.**

RESOLVED, that the Chief Engineer or his designee, be, and hereby is, authorized to execute agreement D214918 with Atlantic Testing Laboratories, Limited, as described in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

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

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

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

Item 20 by Rich Lee (Appendix T)
Authorizing the Execution of Agreement D214919 with, Atlantic Testing Laboratories, Limited

Mr. Lee presented the resolution for Authorizing the Execution of Agreement D214919 with, Atlantic Testing Laboratories, Limited.

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 Agreement D214919 with, Atlantic Testing Laboratories, Limited and adopted the following resolution:

RESOLUTION NO. 6426

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

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

amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

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

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

Item 21 by Rich Lee (Appendix U)
Authorizing the Execution of Supplemental Agreement No. 1 to Engineering Agreement D214776

Mr. Lee presented the resolution for Authorizing the Execution of Supplemental Agreement No. 1 to Engineering Agreement D214776.

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 Supplemental Agreement No. 1 to Engineering Agreement D214776 and adopted the following resolution:

RESOLUTION NO. 6427

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

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

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

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

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

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

Item 22 by Rich Lee (Appendix V)

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

Mr. Lee presented the resolution for Authorizing the Execution of Authorizing Additional Funding for TANY 22-36A/ D214885, Replacement of a Deteriorated Roof at the Harriman Maintenance Section, MP 45.20 in the Town of Harriman, Orange County in the New York Division.

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

Upon motion duly made and seconded, the Board Authorized Additional Funding for TANY 22-36A/ D214885 and adopted the following resolution:

RESOLUTION NO. 6428

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

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

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

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

under the provisions of the contract, manage and administer the 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 23 by Rich Lee (Appendix W)

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

Mr. Lee presented the resolution for Authorizing Funding for H302.1; TAA 23-19/ D214924, Albany Division MP 180 to MP 197.9 Pavement Resurfacing and Repairs at Various Locations.

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

Upon motion duly made and seconded, the Board Authorized Funding for H302.1; TAA 23-19/ D214924 and adopted the following resolution:

RESOLUTION NO. 6429

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

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

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

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

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

Item 24 by Rich Lee (Appendix X)

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

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

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 an Agreement with the American Association of State Highway Officials, Inc. for a Five-Year Contract (C010672) for Licensing and Implementation of AASHTOWare Software Systems and adopted the following resolution:

RESOLUTION NO. 6430

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

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

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

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

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

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

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

Item 25 by Andrew Trombley (Appendix Y) Report on Procurement Contracts and Other Agreements Up to \$300,000 Executed by the Executive Director During the Period July, 2022 through December 31, 2022

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

Upon motion duly made and seconded, without any objections, the Board accepted the Report on Procurement Contracts and other Agreements Executed by the Executive Director during the period July 1, 2022 through December 31, 2022.

Report to the Board

Interim Executive Director Hoare thanked staff at Thruway and Joe Bress our outside lead negotiator in reference to collective bargaining agreements. He also discussed proposed Toll adjustment that was voted on in December and upcoming Toll hearings. Interim Executive Director Hoare discussed our Service Area Project and the creation of the Department of Revenue Management.

Mr. Hoare mentioned that today was Matt Howard's last day as Chief Financial Officer. He thanked Mr. Howard for his professionalism and dedication.

Mr. Megna thanked Frank for taking this job on and for his leadership. Mr. Megna also thanked Matt Howard for his work and dedication and for coming to work for him at the Division of the Budget at there time of need.

GENERAL PUBLIC COMMENT PERIOD

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

ADJOURNMENT

There being no other business, upon motion duly made and seconded, the board voted to adjourn the meeting at 2:15 p.m.

Tanya M. Morris
Board Secretary

Meeting No. 758
Item 2
Appendix B

TO: The Thruway Authority Board

DATE: June 27, 2023

FROM: Matthew A. Howard
Chief Financial Officer

SUBJECT: Financial Report – January, February, and March 2023

The Chief Financial Officer is formally submitting a copy of the Financial Report for the months of January, February, and March 2023.

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

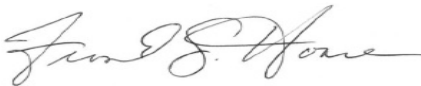
SUBMISSION:

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



Interim Chief Financial Officer

APPROVED:



Interim Executive Director

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

Meeting No. 758
Item 3
Appendix C

TO: The Thruway Authority Board
FROM: Karen Osborn
Interim Chief Financial Officer

DATE: June 27, 2023

SUBJECT: Investment Transactions – First Quarter Investments 2023

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

The attached Exhibit A presents the details of all investments purchased during the Quarter ending March 31, 2023. The attached Exhibit B details the investments held as of March 31, 2023. These Exhibits are submitted in accordance with the Authority's Investment Policy as approved by the Board on March 27, 2023.

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

RECOMMENDATION:

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



Interim Chief Financial Officer

RECOMMENDATION APPROVED:



Interim Executive Director

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

TO: The Thruway Authority Board

DATE: June 27, 2023

FROM: Frank J. Hoare
Interim Executive Director

SUBJECT: Authorization for the Interim Executive Director to Approve 2023-2025 Salary Actions for Management/Confidential Employees

On June 6, 2022 at Meeting No. 754, the Board adopted Resolution No. 6371, which provided a 2% general salary increase to the base of all Management/Confidential (M/C) employees beginning with the pay period that included July 1, 2022. During the past Legislative Session, Management/Confidential employees in the Executive Branch were provided with a 3% general salary increase for State fiscal years 2023, 2024 and 2025. Additionally, the legislation authorizes a \$3,000 lump sum payment to full-time annual salaried employees who were continuously on the payroll between August 2, 2022 and March 30, 2023.

In recognition of the important role that M/C employees have in our organization, and to maintain parity and to be aligned with the Executive Branch, I am recommending the Board authorize the Interim Executive Director to implement the same salary actions for M/C employees that are afforded to Executive Branch M/C employees. This includes a 3% general salary increase for 2023, effective the pay period that includes July 1, 2023; 3% salary increase for 2024, effective the pay period that includes July 1, 2024; and 3% salary increase for 2025, effective the pay period that includes July 1, 2025; and a lump sum payment of \$3,000 to salaried M/C employees who were continuously on the Authority's payroll between November 1, 2022 and the pay period that includes July 1, 2023. This agenda item also authorizes the Interim Executive Director to extend to any provisions of the Authority's collective bargaining agreements with unionized employees to the M/C employees.

In accordance with Thruway Authority Executive Bulletin 2019-1, recommendations to withhold scheduled salary increases, in whole or in part, from individual employees are subject to the approval of the Executive Director. Any increase in compensation provided herein as a result of a promotion, appointment or advancement to a position in a higher salary grade, may be withheld in whole or in part from any officer or employee when, in the opinion of the Interim Executive Director, such withholding is necessary to maintain appropriate salary relationships among officers or employees of the Thruway Authority, or to reduce Thruway Authority expenditures to acceptable levels or when, in the opinion of the Interim Executive Director, such increase is not warranted or is not appropriate.

No additional funding is required as sufficient funds have been included in the 2023 Operating Budget and will be included in the 2024 and 2025 Operating Budgets.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. _____

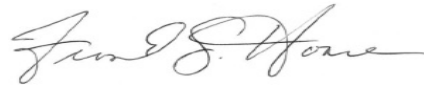
AUTHORIZATION FOR THE INTERIM EXECUTIVE TO
APPROVE 2023-2025 SALARY ACTIONS FOR DIRECTOR
MANAGEMENT/CONFIDENTIAL EMPLOYEES

RESOLVED, the Interim Executive Director be, and is hereby is, authorized to take the necessary steps to grant and implement any 2023-2025 salary actions for M/C employees described in this agenda item, and be it further

RESOLVED, the recommendations to withhold salary increases and/or lump sum payments, in whole or in part, are subject to the approval of the Interim Executive Director, and be it further

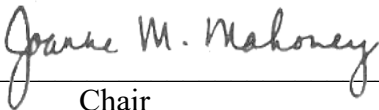
RESOLVED, that the Interim Executive Director be, and hereby is, authorized to extend appropriate provisions of collective bargaining agreements that have been or may be reached as a result of labor negotiations with the Authority's unionized employees (including the reduction of such benefits) to the Authority's M/C employees, and be it further

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



Interim Executive Director

RECOMMENDATION APPROVED:



Chair

DATE: June 27, 2023

Chief Information Officer

SUBJECT: Authorizing the Interim Executive Director to execute a Non-Engineering Personal Services Contract With I-Site, Inc.

In accordance with the Authority’s Procurement Contracts Policy, Board authorization is requested to execute a Non-Engineering Personal Services Contract with I-Site, Inc. (“I-Site”) to provide Drupal platform development and maintenance support services for Authority customer facing web sites.

The Drupal platform is an open source content management framework that is utilized to develop complex web applications that provide dynamic versatile structured content. Content management is the core to the Drupal platform which allows for easy content authoring while providing reliable performance and high levels of security. WebNY, under the New York State Office of Information Technology, has standardized on the Drupal platform to establish common processes, procedures and practices across all state agencies. The Authority has previously contracted with WebNY to provide hosting services for Drupal initiatives which provides a cost effective and efficient modern hosting platform.

I-Site, a subcontractor of the Tappan Zee Constructors LLC (“TZC”) consortium overseeing the design-build project for the construction of the Governor Mario M. Cuomo Bridge (“GMMCB”), was chosen to design and develop a public facing web site that would provide information on the GMMCB including news and events, bridge design and history, shared use path information, and public art on the GMMCB, as well as other visitor information.

I-Site, in coordination with J2 Design (A sub-contractor to I-Site), designed and developed the GMMCB web site on the Drupal web development platform utilizing specific technology stacks that provided the desired outcome of the final web site design. Authority development staff have limited experience with the Drupal development environment and require assistance from I-Site to provide development assistance and recommend best practices around the Drupal development platform. I-Site has valuable GMMCB web site development knowledge, being the designer and developer as well as a high level of Drupal expertise and deploying large-scale solutions.

Services under this contract include assisting the Authority with its development environment, best practice recommendations with existing and new Drupal initiatives, assistance with development, maintenance, enhancements and upgrades to the Drupal platform and web code, assistance with security and vulnerability patching and training and documentation of provided Drupal development and web code changes.

An exemption from pre-advertising on the NYS Contract Reporter has been obtained from OSC. In accordance with statute, a notice was published in the NYS Contract Reporter regarding the intended award and the reasons for exemption.

Services will be billed monthly. This contract is for a five year term with the amount payable for the term of this contract not to exceed \$487,500.00. The Department of Information Technology has funds in its 2023 budget and will budget for future years accordingly.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. _____

AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO EXTEND A NON-ENGINEERING PERSONAL SERVICES CONTRACT WITH I-SITE, INC. TO PROVIDE DRUPAL PLATFORM DEVELOPMENT AND MAINTENANCE SUPPORT SERVICES FOR AUTHORITY CUSTOMER FACING WEB SITES.

RESOLVED, that the Interim Executive Director or his designee be, and hereby is, authorized to execute an amendment to extend a Non-Engineering Personal Services Contract with I-Site, Inc. for a maximum amount payable of \$487,500 for a five year term for the purpose of providing personal services related to Drupal platform development and maintenance support services for Authority customer facing web sites; and be it further

RESOLVED, that such amendment shall be on terms and conditions deemed to be in the best interest of the Authority and consistent with all Authority policies; and be it further

RESOLVED, that the Interim Executive Director or his designee, shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and

administer the agreement, amend the provisions of the agreement consistent with the terms of this item and other Board authorizations

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

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



Chief Information Officer

RECOMMENDATION APPROVED:



Interim Executive Director

SUBJECT: Authorizing the Executive Director to Execute a Non-Engineering Personal Services Contract with Oracle

Page 45 of 88

created it help us with delivery is the optimal path to ensure success. Additionally, the pricing of the services is based on OGS contracts and as such is ensured to be fair and competitive. Authority development staff will work hand in hand with Oracle to ensure that we are able to successfully manage and continue to build on the platform after the implementation is complete.

Services under this contract include assisting the Authority with its development environment, production environment, migration from an on premise platform to the Oracle Cloud Infrastructure, integration and migration of existing platforms such as CPMS, CMS, PBCS, AASHTOware, TFP, and other systems the Authority needs brought together, best practice recommendations as it pertains to workflows and processes for our business unites, testing support, and standard Software as a Service offerings including security and vulnerability patching, and training and documentation of provided Drupal development and web code changes.

The contract services will be billed as deliverables, with billing occurring as deliverables are completed. This contract is for a term of up to one year with the amount payable for the term of this contract not to exceed \$673,800.00. The Authority has funds in its 2023 Reserve Maintenance Fund and will budget for future years accordingly.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. _____

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A NON-ENGINEERING PERSONAL SERVICES CONTRACT WITH ORACLE TO PROVIDE UNIFIER PLATFORM MIGRATION, DEVELOPMENT, INTEGRATION, TRAINING, AND MAINTENANCE SUPPORT SERVICES FOR UNIFIER, THE AUTHORITY'S INTEGRATED AND HOLISTIC FINANCIAL MANAGEMENT SYSTEMS.

RESOLVED, that the Interim Executive Director or his designee be, and hereby is, authorized to execute an agreement with Oracle, Inc. for a maximum amount payable of \$673,800 for a one year term for the purpose of providing personal services related to the Unifier migration, development, integration, training, and maintenance support services for the Authority's integrated and holistic financial management system.

RESOLVED, that such agreement shall be on terms and conditions deemed to be in the best interest of the Authority and consistent with all Authority policies; and be it further

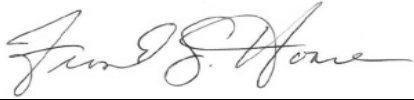
RESOLVED, that the Interim Executive Director or his designee, shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this item and other Board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

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



Chief Information Officer

RECOMMENDATION APPROVED:



Interim Executive Director

TO: The Thruway Authority Board

DATE: June 27, 2023

FROM: James K. Konstalid
Director of Maintenance and Operations

SUBJECT: Authorizing the Interim Executive Director to Execute an Agreement with the Canal Society of New York State to Operate the Port Byron Old Erie Canal Heritage Park

Board approval is being sought to waive the competitive procedure for the Interim Executive Director to negotiate and execute a single source Agreement with the Canal Society of New York State (“Canal Society”) to provide services for the operation of the Port Byron Old Erie Canal Heritage Park (“Heritage Park”), including, but not limited to staffing the visitor’s center, and historical buildings, on-site tour guides, staff uniforms and cleaning services.

The New York State Thruway Authority (“Authority”) owns and maintains the Heritage Park and its surrounding grounds. Part of the State’s “Path Through History” program the Heritage Park initiative was developed in conjunction with the Canal Society. The Heritage Park is an attraction along the Erie Canal for tourists and canal enthusiasts interested in the history of the Canal and its impact on economic and commercial development. It is the only facility in the United States where you can access a heritage park from an Interstate. Key historical components to the Heritage Park include the enlarged Erie Canal Lock 52 and the Erie House Complex, which dates back to 1895 and includes the Erie House Tavern and Hotel, a mule barn, and blacksmith shop. Guided tours provided by the Canal Society allow visitors a first-hand experience of the facility’s historic structures. The Visitor’s Center offers interactive displays and educational materials, including a model lock featured in New York State’s exhibit at Chicago’s Columbian Exposition of 1893. The site first opened to visitors in September 2016 and operates seven days a week from May to October. The Heritage Park sees over 13,000 visitors annually.

The Heritage Park is currently being operated by the Canal Society under a purchase order that is due to expire on August 14, 2023. In accordance with Purchasing Policy 25-5-01, Section IV, Waiver of Competition, the Board may waive the use of the competitive procedure for procurement contracts when there is a condition that exists that makes it impractical or not in the Authority's best interest to seek competition due to the specialized nature of the goods or services required, or there is a historical relationship, the continuation of which is in the best interest of the Authority. The Canal Society is the only suitable vendor to operate the Heritage Park for the Authority. The Authority is unaware of another entity that can provide the level of subject matter expertise and provide the services currently provided by the Canal Society. In the most recent RFP #17C03, that was issued on November 8, 2017, to operate the Heritage Park, the Canal Society was the only entity that responded with a proposal. A canvass was sent out to all those non-proposers who downloaded the RFP document to determine why they chose not to submit a response. One response listed that this operation was beyond their capacity and the other response, said that they did not believe they could add value to the project. The Canal Society is best positioned to provide the required services at this site for the foreseeable future.

An exemption from pre-advertising in the NYS Contract Reporter has been obtained from the NYS Office of the State Comptroller for the implementation of enhancements portion of the scope of services for this agreement. The Director of Purchasing has undertaken an affirmative review of the proposed contractor's responsibility and has reasonable assurance that the proposed contractor is responsible.

The Department of Maintenance and Operations has funds in the 2023 Budget which will be allocated to this project and will budget accordingly each following year to fund this project.

The term of this Agreement will be August 14, 2023 through December 31, 2026 with the option to renew for one (1) additional one (1) year term and a maximum amount payable that will not exceed \$700,204.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

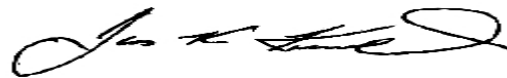
AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO
EXECUTE AN AGREEMENT WITH THE CANAL SOCIETY OF
NEW YORK STATE TO OPERATE THE PORT BYRON OLD
ERIE CANAL HERITAGE PARK AT MILEPOST 308.30
EASTBOUND

RESOLVED, that the competitive procedures required by the Thruway Authority Procurement Contracts Policy are waived and the Interim Executive Director or designee be, and hereby is, authorized to negotiate and executive an Agreement with Heritage Park to operate the Port Byron Old Erie Canal Heritage Park; and be it further

RESOLVED, that such Agreement will be for a term of August 14, 2023 through December 31, 2026 with the option to renew for one (1) additional one (1) year term, shall have a maximum amount payable not to exceed \$700,204, and shall be on such other terms and conditions as the Interim Executive Director, Director of Maintenance and Operations, and General Counsel determine to be in the best interest of the Authority; and be it further

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

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



Director of Maintenance and Operations

RECOMMENDATION APPROVED:



Interim Executive Director

TO: The Thruway Authority Board

DATE: June 27, 2023

FROM: Joseph Igoe
First Deputy General Counsel

SUBJECT: Reaffirming Previously Approved Board Resolution No. 6343 Declaring Real Property Reference No. TN20-3 - Subject Property B, Located in the Town of Clarkstown and County of Rockland, as Not Necessary for Authority Corporate Purposes and Authorizing the Negotiated Sale Thereof

TRANSACTION:

Proposed is the sale of Real Property Reference No. TN20-3 - Subject Property B (hereinafter, "Subject Property"), via negotiation after an auction pursuant to the Thruway Real Property Management Policy. At Meeting No. 752 held on January 31, 2022, the Board adopted Resolution No. 6343 authorizing the Auction of Real Property Reference No. TN20-3 which included Subject Property A and Subject Property B. Bids were opened on March 16, 2022. No bids were received for either property that met or exceeded the minimum bid established by the Board. A copy of the Board's previously adopted resolution is attached hereto as Exhibit I. A copy of the Bid Tabulation form is attached hereto as Exhibit II. The negotiated sale of Subject Property A was approved by the Board on September 12, 2022, and sold to the adjacent property owner, 304 Nanuet Realty, LLC, on February 3, 2023, for \$85,000, or approximately \$14.41 per square foot.

PROPERTY DESCRIPTION:

The Subject Property, comprising of 0.176± acres, is situated off the south side of Demarest Mill Road, west of the on-ramp for the Palisades Interstate Parkway southbound from Thruway Interchange 13S southbound, near mile post 21.2±. The Subject Property is shown on the attached aerial site sketch and survey map attached hereto, respectively, as Exhibits III and IV.

FORMER USE AND PRESUMED INTENDED USE:

The Subject Property is currently used as a buffer between the Palisades Interstate Parkway southbound from Thruway Interchange 13S. The Subject Property is adjacent to Rockland Chrysler Dodge Jeep Ram, addressed as 60 Route 304, Nanuet, NY 10954 and owned by GSI Realty, LLC (hereinafter, “Applicant”). The Applicant submitted an application and indicated its intent to assemble the Subject Property with its adjoining property to use it for parking of new and used vehicles. The Authority does not have a present or anticipated future need for the Subject Property.

VALUATION:

In accordance with the Authority’s Standard Operating Procedures, the value of the Subject Property was independently appraised by an appraisal consultant, GAR Associates LLC, (hereinafter, “Consultant”). The value of the Subject Property was estimated at \$170,000. The Consultant considered the value of the parcel as a single estimate of the present value and under the assumption that the Subject Property was to be assembled to the respective neighboring parcel.

In a review appraisal conducted by Office of Real Property Management staff (hereinafter, “ORPM”), the Consultant’s estimate of value indicated an enhancement value due to “greater frontage and accessibility” which was deemed questionable as the Subject Property is located along a dead-end road with virtually no commercial traffic and the Applicant already has an access point along the dead-end road. Additionally, the Applicant’s primary entrance is off of a high traffic State Route. By removing the aforementioned enhancement, fair market value is calculated to be approximately \$105,000.

APPROVAL PROCESS:

The Subject Property was previously deemed to be appropriate for disposal via auction under a transactional analysis and recommendation. Based upon the aforementioned valuation, ORPM recommended that the Subject Property be auctioned and that a minimum auction bid of \$170,000 for Subject Property be approved.

The subsequent February 2022 Auction, resulted in one bid for the Subject Property, which did not meet or exceed the set minimum bid of \$170,000. The Bid for the Subject Property, which was submitted by the Applicant, was \$20,000. In accordance with the Thruway Real Property Management Policy, the Authority may dispose of real property via negotiation when “bid prices after advertising are not reasonable, either as to all or some part of the real property or have not been independently arrived at in open competition” pursuant to Section IV(H)(2). ORPM subsequently negotiated with the Applicant and seeks approval to sell the Subject Property for \$110,500, or approximately \$14.41 per square foot.

It is further recommended that the Interim Executive Director, or his designee, be authorized to execute an agreement for the sale of the Subject Property. 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 to the Applicant.

PAL Article 9, Title 5-A and the Policy require that 90 days before this type of transaction, an explanatory statement describing the transfer shall be transmitted to the Comptroller, Director of Budget, the Commissioner of General Services, and the Legislature. An explanatory statement will be prepared and distributed to those aforementioned parties.

FIRST DEPUTY GENERAL COUNSEL’S CERTIFICATION:

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

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

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. _____

REAFFIRMING PREVIOUSLY APPROVED BOARD RESOLUTION NO. 6343 DECLARING REAL PROPERTY REFERENCE NO. TN20-3 – SUBJECT PROPERTY B, LOCATED IN THE TOWN OF CLARKSTOWN AND COUNTY OF ROCKLAND, AS NOT NECESSARY FOR THE AUTHORITY’S CORPORATE PURPOSES AND AUTHORIZING THE NEGOTIATED SALE THEREOF

RESOLVED, that the Board reaffirms Resolution No. 6343 and hereby finds, determines and declares that all remaining right, title and interest in and to Real Property Reference No. TN20-3 (hereinafter, “Subject Property”), as shown and delineated on Exhibits II and III attached hereto and made a part hereof, are not

necessary for the Authority's corporate purposes and, therefore, available for auction; and be it further

RESOLVED, that the Interim Executive Director, or his designees, be and the same hereby is/are, authorized to negotiate the disposal of real property because the public auction of the Property resulted in bids below the minimum-bid in open competition; and be it further

RESOLVED, that the Subject Property be, and the same hereby is, authorized for conveyance to GIS Realty, LLC (hereinafter, "Applicant") pursuant to Public Authorities Law Section 2897, subsec. 6, par. C, subpar. iii.; and be it further

RESOLVED, that such conveyance to the Applicant be predicated upon Applicant's payment consideration in the amount of \$110,500; and be it further

RESOLVED, that the Interim Executive Director, or his designee, be, and the same hereby is, authorized to execute an agreement for the Subject Property with the Applicant on the terms and conditions specified herein and other terms and conditions deemed by General Counsel to be in the Authority's best interest, and to take all necessary actions to convey the Subject Property to the Applicant; 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 Interim Executive Director, Chief Engineer, Chief Financial Officer, and First Deputy 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.



First Deputy General Counsel

RECOMMENDATION APPROVED:



Interim Executive Director

Exhibit I

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TO: The Thruway Authority Board DATE: January 31, 2022

FROM: Frank Hoare
General Counsel

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

TRANSACTION:

Proposed is the sale of Real Property Reference No. TN20-3 - Subject Property A & Subject Property B (hereinafter, "Subject Property A" and "Subject Property B"), via two public auctions.

PROPERTY DESCRIPTION:

The Subject Properties are two parcels of land which are situated off Demarest Mill Road, west of the on-ramp for the Palisades Interstate Parkway southbound from Thruway Interchange 13S southbound, near mile post 21.2± (Subject Property A being situated on the north side comprising of 0.135± acres and Subject Property B being situated to the south comprising of 0.176± acres). The Subject Properties are shown on the attached aerial site sketch and survey map attached hereto, respectively, as Exhibits I and II.

FORMER USE AND PRESUMED INTENDED USE:

The Subject Properties are currently used as a buffer between the Palisades Interstate Parkway southbound from Thruway Interchange 13S. Subject Property A is adjacent to Schultz Ford, addressed as 80 Route 304, Nanuet, NY 10954 owned by 304 Nanuet Realty LLC (hereinafter, "Applicant"). Subject Property B is adjacent to Rockland Chrysler Dodge Jeep Ram, addressed as 60 Route 304, Nanuet, NY 10954 owned by GSI Realty, LLC. The Applicant has

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submitted an application and has indicated its intent to assemble the Subject Property A with their adjoining property and plans to use the area for parking of new and used vehicles. GSI Realty, LLC (Chrysler) indicated its interest in assembling Subject Parcel B with their adjoining property for parking new and used vehicles. The Authority does not have a present or anticipated future need for either Subject Property A or Subject Property B.

VALUATION:

In accordance with the Authority's Standard Operating Procedures, the value of Subject Property A and Subject Property B were independently appraised separately by one appraisal consultant. The value of each parcel of the Subject Properties were independently estimated by GAR Associates, LLC (hereinafter, "Consultant"), at \$150,000 for Subject Property A and \$170,000 for Subject Property B. The Consultant considered the value of each parcel as a single estimate of the present value, and under the assumption that each of the Subject Properties were assembled to their respective Neighboring Parcel.

In a review appraisal conducted by staff from the Office of Real Property Management (hereinafter, "ORPM"), the Consultant's estimate of value for each parcel was found to be justified, defensible and soundly reasoned.

APPROVAL PROCESS:

The Subject Properties were deemed to be appropriate for disposal via auction under a transactional analysis and recommendation that I affirmed. Based upon the aforementioned valuation, ORPM staff has recommended that Subject Property A and Subject Property B be auctioned separately and that a minimum auction bid of \$150,000 for Subject Property A and a minimum auction bid of \$170,000 for Subject Property B be approved.

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It is further recommended that for each property, the Executive Director 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 to the purchaser of each property.

CONTRACTING OFFICER'S CERTIFICATION:

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

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

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6343

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

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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. TN20-3 (hereinafter, "Subject Property A" and "Subject Property B"), as shown and delineated on Exhibits I and II attached hereto and made a part hereof, are not necessary for the Authority's corporate purposes and, therefore, available for auction; and be it further

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

RESOLVED, that the Executive Director, or his designees be, and the same hereby is/are, authorized to accept the highest bids that meets or exceeds each auction's minimum bid, to memorialize such acceptance via the execution of the agreements for the sale of real property with the highest bidders on terms and conditions deemed by General Counsel to be in the Authority's best interest, and to convey the Subject Properties to such highest bidders; and be it further

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

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

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



General Counsel

RECOMMENDATION APPROVED:



Executive Director

New York State Thruway Authority
BID TABULATION
 Bureau of Purchasing

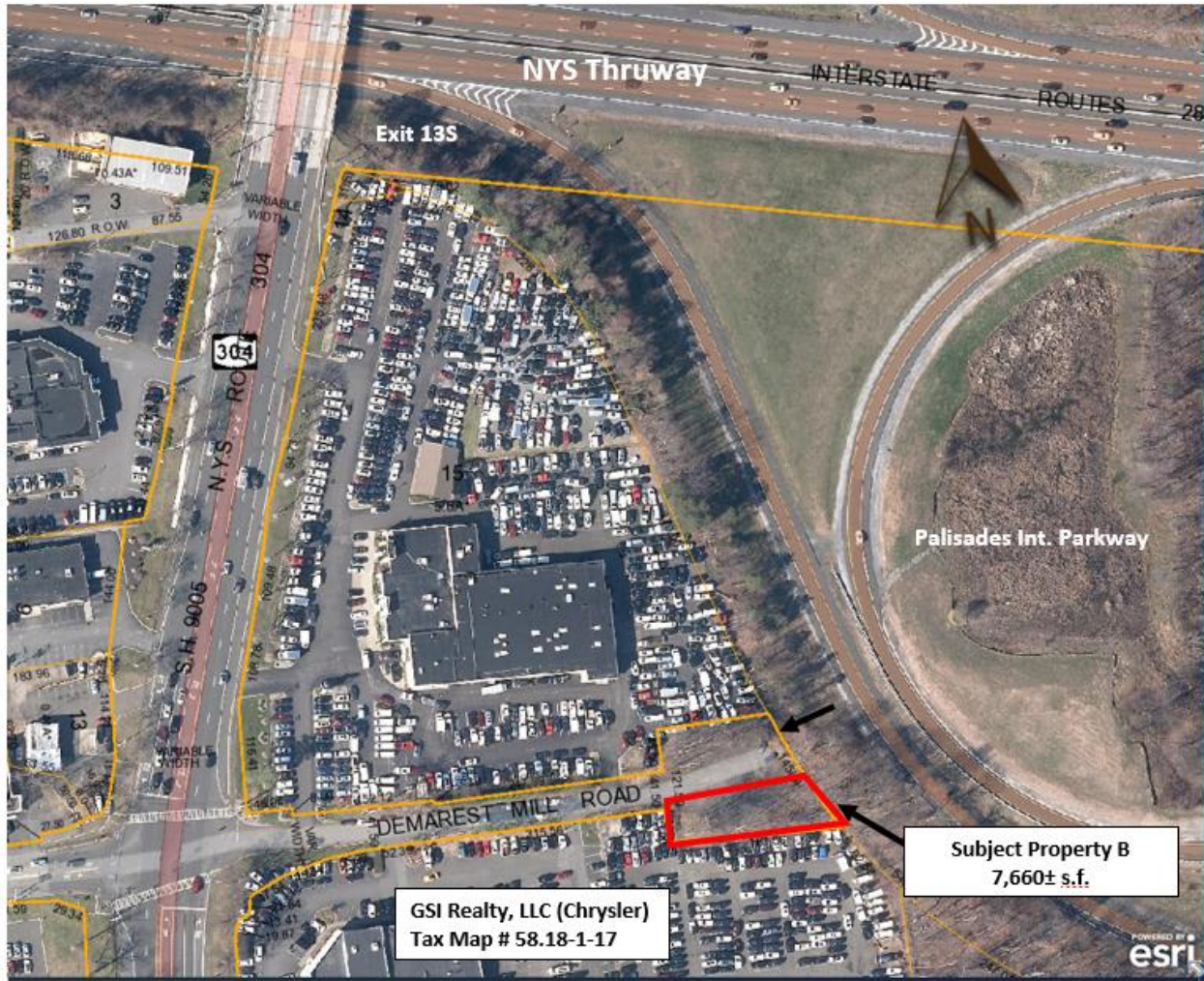
No./Title _____ Opening Date _____ Vendor Representative _____ Authority Representative _____
 _____ Vendor Representative _____ Authority Representative _____

Bid No.	Bidder	Bid Received Date Time	Item No. <u>A</u>	Item No. <u>B</u>	Item No.	Specs.	Remarks
1	Schultz Ford Lincoln 80 Rt. 304 Nanuet, NY 10954	2/24/22 10:17 a.m.	\$20,000.00			<input type="checkbox"/> Yes <input type="checkbox"/> No	
2	Central Ave CJD office 1839 Central Park Ave Yonkers, NY 10710	2/24/22 10:22 a.m.		\$20,000.00		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		Date Time				<input type="checkbox"/> Yes <input type="checkbox"/> No	
		Date Time				<input type="checkbox"/> Yes <input type="checkbox"/> No	
		Date Time				<input type="checkbox"/> Yes <input type="checkbox"/> No	
		Date Time				<input type="checkbox"/> Yes <input type="checkbox"/> No	
		Date Time				<input type="checkbox"/> Yes <input type="checkbox"/> No	
		Date Time				<input type="checkbox"/> Yes <input type="checkbox"/> No	
		Date Time				<input type="checkbox"/> Yes <input type="checkbox"/> No	
		Date Time				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Exhibit II

Meeting No.
 Item
 Appendix

Exhibit III



TO: The Thruway Authority Board

DATE: June 27, 2023

FROM: Joseph Igoe
First Deputy General Counsel

SUBJECT: Amending Resolution 6421 Declaring Full Jurisdiction Over Title Real Property Reference No. TB22-4 Located in the Town of Hamburg and County of Erie, as Not Necessary for the Authority's Corporate Purposes; and Consenting to the Transfer of Such Jurisdiction to the New York State Department of Transportation

TRANSACTION:

Proposed is the transfer of full jurisdiction (hereinafter, "TJ") over title to Real Property Reference No. TB22-4 (hereinafter, "Subject Property") to New York State Department of Transportation (hereinafter, "NYSDOT"). The Subject Property consists of an irregularly shaped parcel, which was originally 1.252± acres and is now approximately 1.078± acres situated along Camp Road, at road grade, as shown on the overhead map attached hereto, as Exhibit I. Resolution 6421 approved at Board Meeting No. 757 on March 27, 2023, authorized the transfer of jurisdiction of the Subject Property to NYSDOT. An amendment is required because the size of the Subject Property has changed based on Federal Highway Administration and NYSDOT access point guidance into the adjacent property also known as Real Property Reference No. TB21-2.

PRESUMED INTENDED USE:

The Office of Real Property Management (hereinafter, "ORPM") received an application (RPR No. TB21-2), which was reviewed and approved under the Authority's transactional analysis process, to dispose of Authority land where the TJ is located. Based on discussions with NYSDOT, it was determined that the TJ will be used as a means of ingress/egress to provide access to the underlying TB21-2 disposal property via Camp Road. The Transfer of Jurisdiction was

intended to occur as part of the 2017 Authority project (TAB 17-30) for the reconstruction of Interchange 57 but was never completed.

APPROVAL PROCESS:

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

FIRST DEPUTY GENERAL COUNSEL’S CERTIFICATION:

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

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. _____

AMENDING RESOLUTION 6421 DECLARING FULL JURISDICTION OVER TITLE TO REAL PROPERTY REFERENCE NO. TB22-4, LOCATED IN THE TOWN OF HAMBURG AND COUNTY OF ERIE, AS NOT NECESSARY FOR THE AUTHORITY’S CORPORATE PURPOSES; AND CONSENTING TO THE TRANSFER OF SUCH JURISDICTION TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

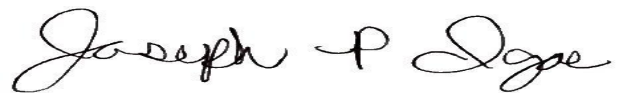
RESOLVED, that full jurisdiction over title in and to certain real property designated as revised Real Property Reference No. TB22-4 (hereinafter, “Subject Property”) and shown on, and

described in Exhibit I attached hereto and made a part hereof, is hereby found to be not necessary for the Authority's corporate purposes; and be it further

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

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

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



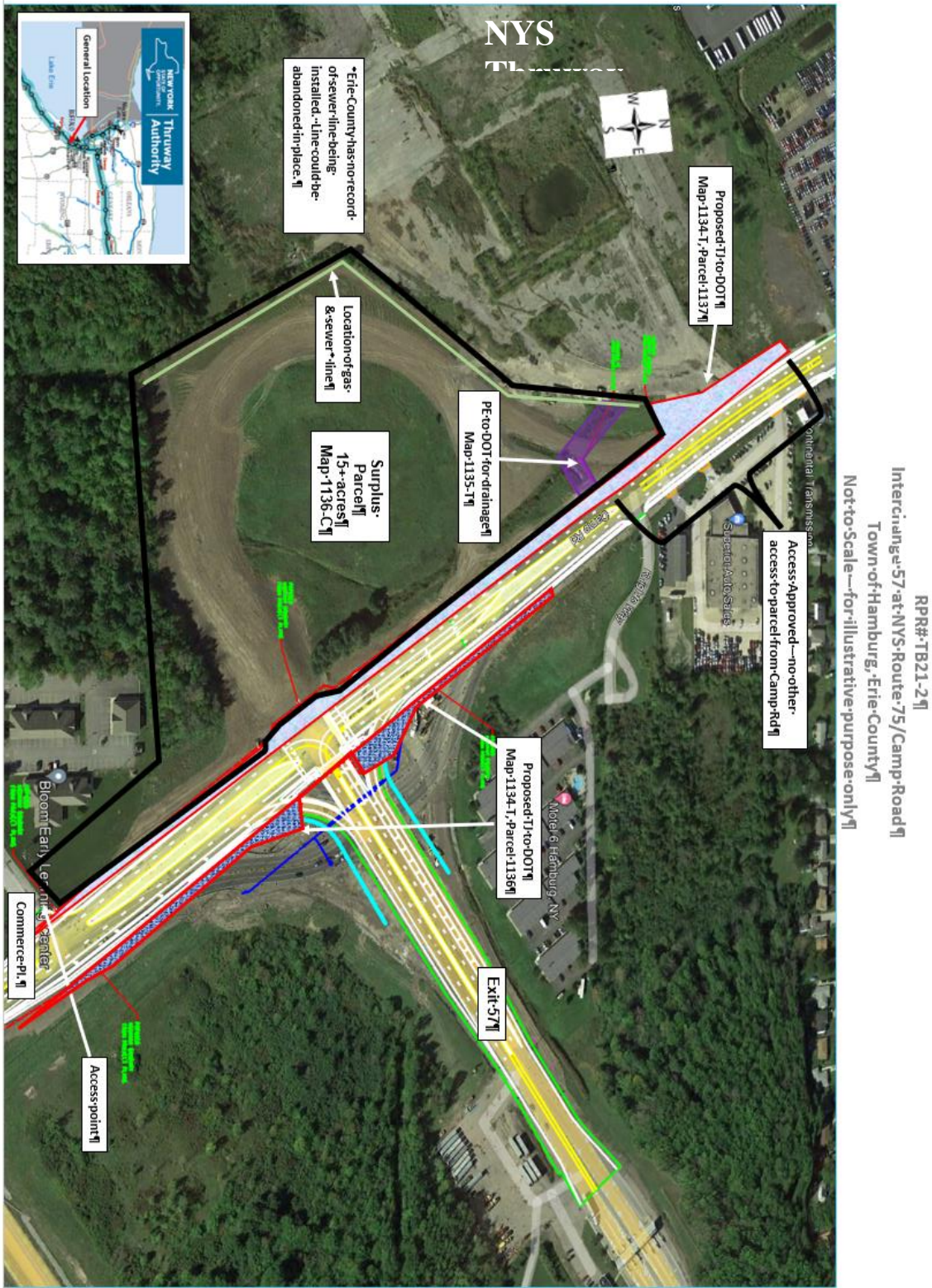
First Deputy General Counsel

RECOMMENDATION APPROVED:



Interim Executive Director

Exhibit I



TO: The Thruway Authority Board

DATE: June 27, 2023

FROM: Joseph Igoe
First Deputy General Counsel

SUBJECT: Amending Resolution 6420 Declaring Real Property Reference No. TB21-2,
Located in the Town of Hamburg and County of Erie, as Not Necessary for
Authority Corporate Purposes and Authorizing the Auction Thereof

TRANSACTION:

Proposed is the sale of Real Property Reference No. TB21-2 (hereinafter, “Subject Property”), via a public auction. Resolution 6420 approved at Board Meeting No. 757 on March 27, 2023, declared the Subject Property surplus. An amendment is required because the size of the Subject Property has increased from 15.016 ± acres to 15.189 ± acres based on FHWA and New York State Department of Transportation (hereinafter, “NYSDOT”) access point guidance into the Subject Property.

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 Exhibit I.

FORMER USE AND PRESUMED INTENDED USE:

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

buildings, asphalt paving, concrete gas pump islands, underground fuel storage tanks and fuel pumps.

The Subject Property will be conveyed with the reservation of a 12,063± square foot permanent easement to the People of the State of New York for New York State Department of Transportation purposes (hereinafter, “NYSDOT”), for drainage near the northeast corner of the Subject Property. The Subject Property is unzoned vacant land adjacent to commercially zoned real property.

VALUATION:

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

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

ORPM confirmed with the consultant that the slight increase in square footage does not change said fair market value of \$350,000 an acre. The new fair market value based on increased square footage is estimated to be \$4,965,000.

APPROVAL PROCESS:

The Subject Property was deemed to be appropriate for disposal via auction under a transactional analysis and recommendation. Based upon the aforementioned valuation, ORPM recommended that a minimum auction bid of \$4,965,000.

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

FIRST DEPUTY GENERAL COUNSEL'S CERTIFICATION:

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

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

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. _____

AMENDING RESOLUTION 6420 DECLARING REAL
PROPERTY REFERENCE NO. TB21-2, LOCATED IN THE
TOWN OF HAMBURG AND COUNTY OF ERIE, AS NOT
NECESSARY FOR THE AUTHORITY'S CORPORATE
PURPOSES AND AUTHORIZING THE AUCTION THEREOF

RESOLVED, that the Board hereby finds, determines and declares that all remaining right, title and interest in and to revised Real Property Reference No. TB21-2 (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 subject to the reservation of a drainage easement for the People of the State of New York; and be it further

RESOLVED, that the Office of Real Property Management is authorized to conduct a public auction (hereinafter, “Auction”) of the Property at a minimum-bid amount of \$4,965,000 (hereinafter, “Minimum Bid”); and be it further

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

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



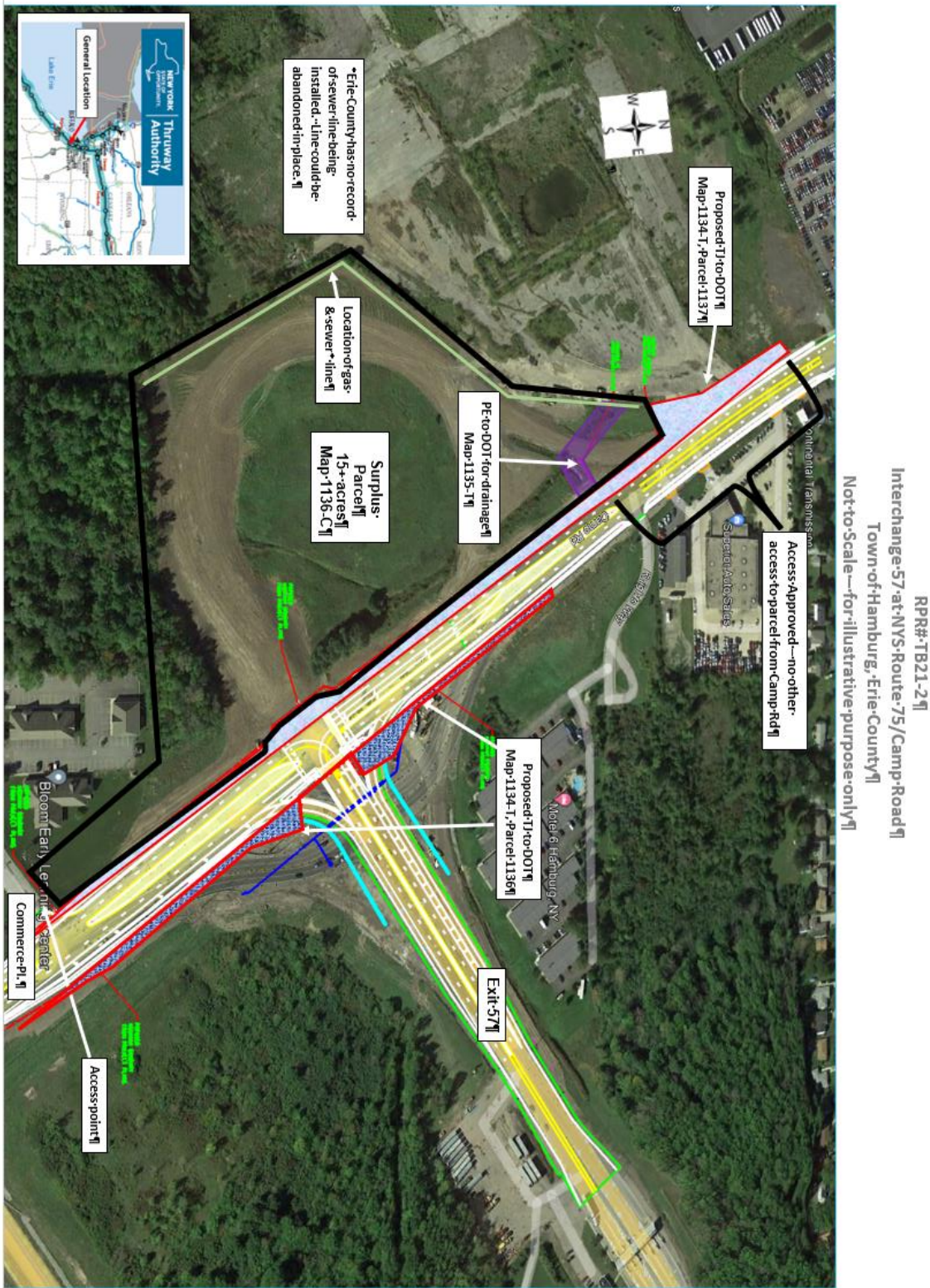
First Deputy General Counsel

RECOMMENDATION APPROVED:



Interim Executive Director

Exhibit I



Meeting No. 758
Item 11
Appendix K

TO: The Thruway Authority Board
FROM: Richard W. Lee, P.E.
Chief Engineer
SUBJECT: Authorizing Additional Funding for TAA 23-13B/D214916, MP 111.13 and 113.22 Bridge Preservation

DATE: June 27, 2023

TAA 23-13B/D214916, MP 111.13 and 113.22 Bridge Preservation was let on April 5, 2023. The low bid of \$9,283,000.00 was submitted by D.A. Collins Construction.

As presented in the attached Bid Analysis memorandum (Exhibit A), at this time, an additional \$5,283,000.00 is needed to complete project MP 111.13 and 113.22 Bridge Preservation. A majority of the cost increase is attributable to labor, material and subcontractor costs as well as bridge access and production rate challenges required within the Bid.

The additional funding to complete project MP 111.13 and 113.22 Bridge Preservation is available from project deferments and bid savings from the 2023 Contracts Program. Board authorization is requested to approve an additional \$5,283,000.00 for TAA 23-13B/D214916, thus revising the contract value to \$9,283,000.00.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING ADDITIONAL FUNDING FOR TAA 23-
13B/D214916, MP 111.13 AND 113.22 BRIDGE
PRESERVATION

RESOLVED, that an additional \$5,283,000.00 (revising the total contract value to \$9,283,000.00) for TAA 23-13B/D214916, MP 111.13 and 113.22 Bridge Preservation be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TAA 23-13B/D214916, from project deferments and bid savings from the 2023 Contracts Program, and be it further

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


Meeting No. 758
Item 11
Appendix K

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



Chief Engineer

RECOMMENDATION APPROVED:



Interim Executive Director

Meeting No. 758
Item 12
Appendix L

TO: The Thruway Authority Board

DATE: June 27, 2023

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

SUBJECT: Authorizing Additional Funding for TAN 23-15B/D214897A, Structural steel repairs, seismic retrofits & light pole replacements of the North Grand Island bridges and light pole replacements of the South Grand Island Bridges

TAN 23-15B/D214897A, Structural steel repairs, seismic retrofits & light pole replacements for the North Grand Island bridges and light pole replacements of the South Grand Island Bridge was let on April 19, 2023. The low bid of \$67,705,000.00 was submitted by Piasecki Steel Construction Corp.

As presented in the attached Bid Analysis memorandum (Exhibit A), at this time, an additional \$31,705,000.00 is needed to complete Structural steel repairs, seismic retrofits & light pole replacements for the North Grand Island bridges and light pole replacements of the South Grand Island Bridges. A majority of the cost increase is attributable to structural steel items, bearing items and Class B Containment Items required within the Bid.

The additional funding to complete Structural steel repairs, seismic retrofits & light pole replacements for the North Grand Island bridges and light pole replacements of the South Grand Island Bridges is available from project deferments and bid savings from the 2023 Contracts Program. Board authorization is requested to approve an additional \$31,705,000.00 for TAN 23-15B/D214897A, thus revising the contract value to \$67,705,000.00.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING ADDITIONAL FUNDING FOR TAN 23-15B/D214897A, STRUCTURAL STEEL REPAIRS, SEISMIC RETROFITS & LIGHT POLE REPLACEMENTS FOR THE NORTH GRAND ISLAND BRIDGES AND LIGHT POLE REPLACEMENTS OF THE SOUTH GRAND ISLAND BRIDGES

RESOLVED, that an additional \$31,705,000.00 (revising the total contract value to \$67,705,000.00) for TAN 23-15B/D214897A, Structural steel repairs, seismic retrofits & light pole replacements for the North Grand Island bridges and light pole replacements of the South Grand Island Bridges be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TAN 23-15B/D214897A from project deferments and bid savings from the 2023 Contracts Program, and be it further

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

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



Chief Engineer

RECOMMENDATION APPROVED:



Interim Executive Director

SUBJECT: Authorizing the Execution of Agreement D214917 with Stantec Consulting Services, Inc.

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

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

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



Chief Engineer

RECOMMENDATION APPROVED:



Interim Executive Director

EXHIBIT A
Agreements for Engineering Services

D No./Agreement/ Designation Date	Firm/Address	MAP/ Contracts Program Item No.	Term of Agreement	M/WBE and SDVOB Firms/Goals
D214917, Term Agreement for Services Relative to the Financing and Operation of the Thruway System	Stantec Consulting Services, Inc. 3 Columbia Cir Suite 6, Albany, NY 12203	\$1,000,000	Three (3) years, with an option for the Authority to extend for two (2) additional one (1) year term	Goals: 30% M/WBE/ 6% SDVOB Firms: Dinmore Engineering PLLC (SDVOB) Philip Habib & Associates, P.E., D.P.C (WBE) Popli Architecture + Engineering & L.S., D.P.C. (MBE) Sand Table Strategies (SDVOB) Urbanomics Inc. (WBE)

MAP = Maximum Amount Payable

Meeting No. 758
Item 14
Appendix N

TO: The Thruway Authority Board

DATE: June 27, 2023

FROM: Frank G. Hoare
Interim Executive Director

SUBJECT: Report on Procurement Contracts and Other Agreements Up to \$500,000
Executed by the Executive Director During the Period January 1, 2023 Through
March 31, 2023

Pursuant to Resolution No. 6396 adopted at Meeting No. 756 held on December 5, 2021, the Board adopted the Procurement Contracts Policy which authorizes the Executive Director to: execute any procurement contract, including amendments thereto, in an amount not to exceed \$500,000 provided that a Procurement Contract for professional services has a term of one year or less; increase by up to \$500,000 any procurement contract previously approved by the Board; extend any procurement contract for a period in excess of one year provided such contract or extension does not exceed \$500,000 provided that a Procurement Contract for professional services has a term of one year or less; and waive the use of a competitive procedure for certain procurement contracts. The Procurement Contracts Policy requires that the Executive Director report to the Board quarterly on all Procurement Contracts or Amendments thereto that have been executed pursuant to such authority.

Pursuant to this Resolution, attached hereto as Exhibit I is a list of the Procurement Contracts and or Amendments thereto executed by the Executive Director pursuant to the Authority in such Resolutions during the time period January 1, 2023 through March 31, 2023.

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Appendix N

RECOMMENDATION:

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

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

Interim Executive Director

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Item 14
Appendix N

EXHIBIT I

THRUWAY PERSONAL SERVICE CONTRACTS UP TO \$500,000
FOR THE PERIOD January 1, 2023 – March 31, 2023

Date	Amount	Contractor	Amendment No.	MWBE Goal %	SDVOBE Goal %	Purpose
1/6/23	\$35,000	David Capobianco (Contract #C010692)	N/A	0	0	Consulting Services
1/25/23	\$39,000	Strategic Development Specialists, LLC (Contract #C010689)	N/A	0	0	Engage a professional consultant to provide grant writing services
3/6/23	\$15,000	SUNY Cobleskill	N/A	0	0	Hydraulic and Electronic Fundamentals Training
4/12/23	\$274,000,000	Paymentech, LLC	3	0	0	Credit Card Processing Services. Amendment #3 is a 1-year term renewal.