



# **BOARD OF DIRECTORS MEETING**

**SEPTEMBER 12, 2022**

**ALBANY, NEW YORK**



**NEW YORK**  
STATE OF  
OPPORTUNITY™

**Thruway  
Authority**

**BOARD MEETING AGENDA**

Meeting Number 755

September 12, 2022

Albany, New York

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

**B. Consent Items**

1. To consider and act upon the Minutes of Thruway Authority Board Meeting No. 754
2. Review and Approval of the April, May & June 2022 Financial Reports
3. Investment Transactions –Second Quarter 2022

**C. Report to the Board**

**D. Action Items**

4. Staff Appointment of Mary F. Boehm as Director of Audit and Management Services
5. Authorize the Waiver of Competitive Procedures for a Sole Source Contract with INEX Technologies LLC for Spare Parts/Depot Repair of License Plate Reading Systems
6. Authorizing the Executive Director to Execute an Agreement C010678 with Kapsch TrafficCom USA, Inc. to Purchase E-ZPass Transponders and Equipment
7. Authorizing the Executive Director to Execute an Agreement C010679 with TransCore, LP to Purchase E-ZPass Transponders and Equipment
8. Authorizing the Executive Director to Enter into a Contract Amendment with the Town of Grand Island for the Provision of Sewer Services for the Western New York Welcome Center
9. Authorizing the Executive Director to Execute a First Amendment to Agreement C010601 with Mission Critical Partners, LLC for Tiburon CAD/RMS System Support
10. Authorizing the Executive Director to execute a Non-Engineering Personal Services Contract with Fugro USA Land, Inc. to provide data conversion, iVision5 software cloud hosting and maintenance support services

11. Authorizing an Agreement with Crown Castle Fiber LLC for the Use of the New York State Thruway Authority's Fiber Optic System
12. Reaffirming Previously Approved Board Resolution No. 6343 Declaring Real Property Reference No. TN20-3 - Subject Property A, Located in the Town of Clarkstown and County of Rockland, as Not Necessary for Authority Corporate Purposes and Authorizing the Negotiated Sale Thereof
13. Declaring a Permanent Easement, Real Property Reference No. TB21-1, as Not Necessary for the Authority's Corporate Purposes and Authorizing its Release to GRHS Foundation, Inc.
14. Authorizing the Executive Director to Execute a Contract with Greenman-Pedersen Inc. for Land Acquisition Services
15. Authorizing the Executive Director to Execute a Lease Agreement for Office Space at 455 Cayuga Road, Cheektowaga, New York with Airport Commerce Park II, LLC
16. D214886 Term Agreement for Bridge Design Support Services – New York Division
17. D214887 Term Agreement for Bridge Design Support Services – Albany and Syracuse Divisions
18. D214888 Term Agreement for Bridge Design Support Services – Albany Division(primarily Castleton Bridge)
19. D214889 Term Agreement for Highway Design Support Services – Buffalo Division
20. D214890 Term Agreement for Highway Design Support Services – Albany and Syracuse Divisions
21. D214891 Term Agreement for Highway Design Support Services – Buffalo
22. D214892 Term Agreement for Highway Design Support Services – New York Division(95 only)
23. Authorize the Executive Director to Issue a Waiver of Competition and Execute a Contract with VSL International, Inc. for work on The Governor Mario M. Cuomo Bridge
24. Authorizing Additional Funding for TANE 22-22B/D214321A, Replacement of the North Avenue Bridge over, I-95, New England Thruway at Milepost NE 5.76 in Westchester County
25. Report on Procurement Contracts and Other Agreements Up to \$300,000 Executed by the Executive Director During the Period April 1, 2022 Through June 30, 2022

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

F. Other Business

G. Adjournment

Meeting No. 755  
Item 1  
Appendix A

TO: The Thruway Authority Board

DATE: September 12, 2022

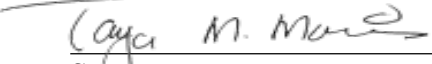
FROM: Tanya M. Morris  
Secretary

SUBJECT: Approval of Minutes of Board Meeting No. 754

Copies of the Minutes of Board Meeting No. 754 was made available to the Board Members as part of the Agenda.

RECOMMENDATION

It is recommended that the Minutes of Board Meeting No. 754 held on June 6, 2022 be approved by the Board.

  
Secretary

RECOMMENDATION APPROVED:

  
Executive Director



**MINUTES  
NEW YORK STATE THRUWAY AUTHORITY  
BOARD MEETING NO. 754  
June 6, 2022**

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

The meeting of the New York State Thruway Authority Board opened in session for the consideration of various matters. These minutes reflect only the items considered by the New York State Thruway Authority Board. The meeting began approximately at 11:14 a.m.

The following committee members were present on Webinar:

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

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

Staff present on Webinar:

Matthew J. Driscoll, Executive Director  
Matthew Trapasso, Chief of Staff  
Matt Howard, Treasurer and Chief Financial Officer  
Frank Hoare, General Counsel  
Rich Lee, Chief Engineer  
Jim Konstalid, Director of Maintenance & Operations  
Jen Givner, Director Media Relations  
Mary Boehm, Acting Director, Audit Management Services  
Josh Klemm, Director, Chief Information Officer  
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 stated that due to COVID19 and Executive Order 202.1, we are able to have our Board Meeting by Webinar. Individuals who wish to address items on today's agenda would have had to submit their written comments via email prior to this Board Meeting to the Board Administrator.

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

### **Item 1 by Chair Mahoney (Appendix A)** **Approval of the Minutes of Meeting No 753**

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. 753 held March 28, 2022, which was made available to the Board Members as part of the Agenda.

### **Item 2 by Matt Howard (Appendix B)** **Financial Report– January, February & March 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 Report for December 2021.

### **Item 3 by Matt Howard (Appendix C)** **Review and Approval of the Authority's Quarterly 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 accepted the Authority's Quarterly Investment Report.

**Item 4 by Matthew Howard (Appendix D)**  
**Approving and Adopting the Fourteenth Supplemental Bond Resolution Authorizing the Issuance of State Personal Income Tax Revenue Bonds (Transportation), Series 2022A, Approving the Forms of Certain Related Documents and Authorizing the Execution of Any Other Documents Thereto**

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

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

Upon motion duly made and seconded, the Board approved the Fourteenth Supplemental Bond Resolution and adopted the following resolution:

**RESOLUTION NO. 6358**

**APPROVING AND ADOPTING THE FOURTEENTH SUPPLEMENTAL BOND RESOLUTION AUTHORIZING THE ISSUANCE OF STATE PERSONAL INCOME TAX REVENUE BONDS, SERIES 2022-1, APPROVING THE FORMS OF CERTAIN RELATED DOCUMENTS AND AUTHORIZING THE EXECUTION OF ANY OTHER DOCUMENTS THERETO**

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RESOLVED, that Part I of Chapter 383 of the Laws of New York of 2001 ("Chapter 383") authorized the Authority solely upon the determination of the Director of the Division of the Budget of the State of New York ("Director of the Budget"), to issue State Personal Income Tax Revenue Bonds (exclusive of certain costs) to finance the costs of various projects which meet the statutory definition of Authorized Purposes; and be it further

RESOLVED, that Part EEE of Chapter 56 of the Laws of New York of 2022 authorized the Authority to issue up to \$200 million for the purpose of refinancing obligations previously issued by the Power Authority of the State of New York



("NYPA") to fund energy efficiency projects at State agencies, and be it further

RESOLVED, that Chapter 383 authorized the Director of the Budget to enter into a financing agreement (each, a "Financing Agreement") with Authorized Issuers to secure payment of debt service and other cash requirements in connection with the issuance of State Personal Income Tax Revenue Bonds; and be it further

RESOLVED, that on June 27, 2002, the Board approved the execution of a Financing Agreement to provide for the financing of Authorized Purposes pursuant to Chapter 383; and be it further

RESOLVED, that on August 7, 2002, the Executive Director and the Director of the Budget executed a Financing Agreement to provide for the financing of Authorized Purposes pursuant to Chapter 383; and be it further

RESOLVED, that on May 1, 2002, and as amended and restated on July 1, 2009, as of December 1, 2010 and as of June 10, 2019, the Authority executed the Master Continuing Disclosure Agreement, since State Personal Income Tax Bonds are issued by the Authority and four other State authorities (collectively, the "Authorized Issuers") under disclosure documents containing significant amounts of common

information, the Division of the Budget developed a Master Continuing Disclosure Agreement to which it and all of the Authorized Issuers became signatories. Upon the issuance of a series of State Personal Income Tax Bonds by an Authorized Issuer, such series of State Personal Income Tax Bonds is added to the master list of bond issues covered by the Master Continuing Disclosure Agreement and it is intended that the Series 2022-1 Bonds will be so added to such master list; and be it further,

RESOLVED, that on June 27, 2002, the Board adopted the State Personal Income Tax Revenue Bonds (Transportation) General Bond Resolution (the "General Bond Resolution") and the State Income Tax Revenue Bonds Standard Resolution Provisions ("Annex A") (the General Bond Resolution, as amended and supplemented, and Annex A collectively hereinafter referred to as the "Bond Resolution") which authorizes the bonds of the Authority, designated as State Personal Income Tax Revenue Bonds to finance all or a portion of the cost of projects which meet the statutory definition of Authorized Purposes, and to refinance prior bonds; and be it further

RESOLVED, that Sections 201 and A-201, A-202, A-204 of the Bond Resolution require that the issuance of State

Personal Income Tax Revenue Bonds by the Authority shall be authorized by a supplemental resolution or resolutions of the Authority adopted at or prior to the time of issuance; and be it further

RESOLVED, that Section A-902 of the Bond Resolution empowers the Authority to adopt, for any one or more of the purposes set forth therein, a supplemental resolution; and be it further

RESOLVED, that upon the request of the Director of the Budget, the Authority intends to issue in one or more series or subseries up to \$3,400,000,000 aggregate principal amount of State Personal Income Tax Bonds Series 2022-1 (the "Series 2022-1 Bonds"), in order to finance the costs of various Authorized Purposes, and to refinance certain obligations issued by NYPA to fund energy efficiency project at various State agencies and to refund certain bonds previously issued by the Authority (the "Refunded Bonds"); and be it further

RESOLVED, that an Authorized Officer of the Authority is authorized to determine whether the Series 2022-1 Bonds shall be issued on a tax-exempt and/or federally taxable basis; and as a single issue or with multiple subseries; and be it further

RESOLVED, that there has been prepared and submitted to the Board a form of the Fourteenth Supplemental Bond

Resolution Authorizing an Aggregate Principal Amount Not To Exceed \$3,400,000,000 of State Personal Income Tax Revenue Bonds, Series 2022-1 (the "Fourteenth Supplemental Resolution"); and be it further

RESOLVED, that the Fourteenth Supplemental Resolution authorizes an Authorized Officer the power to determine whether the sale of the Series 2022-1 Bonds will be sold on a competitive or negotiated basis; and be it further

RESOLVED, that if an Authorized Officer determines to offer and sell the Series 2022-1 Bonds on a competitive basis, such offer and sale shall be pursuant to a Notice of Sale and award of the Series 2022-1 Bonds shall be made to the winning bidder(s) at the lowest true interest cost to the Authority; and be it further

RESOLVED, that the Board approves and adopts the form of the Fourteenth Supplemental Resolution as submitted at this meeting and made a part of this resolution as though set forth in full herein, and delegates and authorizes an Authorized Officer of the Authority the power to determine the terms and conditions of the Series 2022-1 Bonds in accordance with the parameters set forth in the Fourteenth Supplemental Resolution pursuant to a certificate or certificates of determination, including: (A) the final aggregate principal amount of the Series

2022-1 Bonds to be issued for new Program purposes; (B) the final aggregate principal amount of the Series 2022-1 Bonds to be issued for refunding purposes and to refinance certain obligations issued by NYPA to fund energy efficiency project at various State agencies; (C) the interest rates, maturities and principal amounts of Series 2022-1 Bonds; (D) redemption provisions; (E) whether the Series 2022-1 Bonds shall be issued on a tax-exempt and/or federally taxable basis; and as a single issue or with multiple subseries; (F) whether any of the Series 2022-1 Bonds shall be designated as “Green Bonds”; (G) whether any of the Series 2022-1 Bonds will be offered and sold on a competitive or negotiated basis; and (H) such other terms and conditions not inconsistent with the parameters set forth in the Fourteenth Supplemental Resolution as may be deemed necessary or desirable to effectuate the purposes of the Fourteenth Supplemental Resolution; and be it further

RESOLVED, that the Fourteenth Supplemental Bond Resolution also authorizes the amendment of the Authority’s State Personal Income Tax Revenue Bonds (Transportation) General Bond Resolution to replace all references therein to the “New York State Thruway Authority State Personal Income Tax Revenue Bonds (Transportation)” with references to the “New York State Thruway Authority State Personal Income Tax

Revenue Bonds” to clarify that the Authority is currently authorized to issue State Personal Income Tax Revenue Bonds thereunder for any Authorized Purpose as defined in New York State Finance Law Section 68-a (2); and be it further

RESOLVED, that in connection with the offering and sale of the Series 2022-1 Bonds, the Board authorizes an Authorized Officer of the Authority to approve the form and distribution of one or more Preliminary Official Statements for the Series 2022-1 Bonds that is intended to meet federal securities law requirements that the material aspects of the financing (other than pricing terms) and the Series 2022-1 Bonds, the security therefor and related matters be adequately disclosed, and execute any amendments and supplements thereto as may be deemed necessary or desirable to effectuate the purposes thereof; and be it further

RESOLVED, that the Board authorizes an Authorized Officer of the Authority to confirm that any Preliminary Official Statement relating to the issuance of Series 2022-1 Bonds is deemed final for purposes of Rule 15c2-12, promulgated by the Securities and Exchange Commission under the Securities and Exchange Act of 1934, as amended, except for certain omissions relating to certain State information and information not required under said Rule to be included therein; and be it further

RESOLVED, that the Board authorizes an Authorized Officer of the Authority to execute and deliver, on behalf of the Authority, one or more final Official Statements relating to the Series 2022-1 Bonds with such changes, insertions and/deletions as may be approved by such Authorized Officer of the Authority, said execution being conclusive evidence of such approval, and any amendments or supplements thereto which may be necessary or desirable. After execution, such Authorized Officer of the Authority or his or her designee is hereby authorized to deliver to the winning bidder(s) of the Series 2022-1 Bonds an executed copy or copies of such Official Statement(s) and any amendments or supplements thereto; and be it further

RESOLVED, that an Authorized Officer of the Authority is authorized to execute an updated schedule to the Financing Agreement relating to the Series 2022-1 Bonds; and be it further

RESOLVED, that an Authorized Officer of the Authority is authorized to execute: (i) one or more Escrow Deposit Agreements and establish one or more escrow funds or accounts to defease and refund the Refunded Bonds; and be it further

RESOLVED, that the Board confirms and ratifies the continuation and selection of The Bank of New York Mellon, New York, New York as Trustee and Paying Agent; and be it further

RESOLVED, that an Authorized Officer is authorized to:

(i) make any determinations or selections and/or appointments of any necessary or desirable consultants or agents; (ii) execute any additional certificates, agreements or other documents necessary to facilitate the authorization, sale, issuance and delivery of the Series 2022-1 Bonds; (iii) accomplish the other purposes of this Resolution, including but not limited to agreements with securities depositories and documents relating to credit enhancement; and (iv) do and cause to be done any and all acts and things necessary or desirable to carry out the transactions contemplated by this Resolution; and be it further

RESOLVED, that all the authorizations contained herein shall be effective until March 31, 2023.

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

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



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

The Executive Director reported on the progress of the NYS Thruway-Vision Forward. He thanked the Executive Staff and other Thruway Employees who have participated in the Thruway Vision Forward Initiatives with Accenture.

Executive Director Driscoll stated that NYS Thruway Vision Forward would accomplish the following goals:

Establish a cohesive strategic vision  
Design an effective and efficient operating model  
Implement the identified objectives

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

### **Item 5 by Executive Director Matthew J. Driscoll (Appendix E)** **Authorizing the Executive Director to Execute an Amendment to Agreement C010656 with Accenture LLP for Business Consulting and Implementation Advisory Services**

Executive Director Driscoll presented the resolution on the above Item

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 Amendment and adopted the following resolution:

#### **RESOLUTION NO. 6359**

AUTHORIZING THE EXECUTIVE DIRECTOR TO  
EXECUTE AN AMENDMENT TO AGREEMENT C010656  
WITH ACCENTURE, LLP FOR BUSINESS CONSULTING  
IMPLEMENTATION SERVICES

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RESOLVED, that the maximum amount payable  
for the Agreement is increased by \$760,000 to \$3,260,000,  
and shall be on such other terms and conditions as the

Executive Director and 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 for services rendered pursuant to such Agreement to the Operating Budget; and be it further

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

**Item 6 by Jim Konstalid (Appendix F)**

**Authorizing the Executive Director to Execute an Agreement C010674 with American Traffic Solutions, Inc. (DBA "Verra Mobility") for Automated Work Zone Speed Enforcement**

Mr. Konstalid presented the resolution for Authorizing the Executive Director to Execute an Agreement with American Traffic Solutions, Inc. (DBA "Verra Mobility") for Automated Work Zone Speed Enforcement.

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 Agreement C010674 and adopted the following resolution:

**RESOLUTION NO. 6360**

**AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT C010674 WITH AMERICAN TRAFFIC SOLUTIONS, INC. (DBA "VERRA MOBILITY") FOR AUTOMATED WORK ZONE SPEED ENFORCEMENT**

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RESOLVED, that the Executive Director or designee be, and hereby is, authorized to execute an Agreement with American Traffic Solutions, Inc. (DBA "Verra Mobility"); and be it further

RESOLVED, that the initial term shall be for three years with an option for the Authority to renew for two, one-year periods; and be it further

RESOLVED, that the maximum amount payable for this Agreement is \$5,163,000, and shall be on such other terms and conditions as the Executive Director and General Counsel determine to be in the best interests of the Authority; and be it further

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

RESOLVED, that the Authority's Chief Financial Officer be, and hereby is, authorized to charge expenditures for services rendered pursuant to such Agreement to the Operating Budget; and be it further

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

**Item 7 by Jim Konstalid (Appendix G)**

**Authorizing the Executive Director to Execute a Fourth Amendment to Agreement C100739 with Conduent State & Local Solutions, Inc. for E-ZPass New York Customer Service Center Services**

Mr. Konstalid presented the resolution to Authorize the Executive Director to Execute a Fourth Amendment to Agreement C100739 with Conduent.

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

Upon motion duly made and seconded, the Board Authorized the Executive Director to Execute a Fourth Amendment to Agreement C100739 with Conduent and adopted the following resolution:

**RESOLUTION NO. 6361**

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

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RESOLVED, that the term shall be extended until  
February 29, 2024, for Agreement C100739 with Conduent State  
& Local Solutions Inc., for E-ZPass New York Customer Center  
Services; and be it further

RESOLVED, that the maximum amount payable for the  
Agreement is increased by \$75,000,000 to \$512,950,000, and  
shall be on such other terms and conditions as the Executive  
Director and 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 for services  
rendered pursuant to such Agreement to the Operating Budget;  
and be it further

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

**Item 8 by Jim Konstalid (Appendix H)**

**Authorizing the Executive Director to Execute an Interagency Agreement C132945 with the Triborough Bridge & Tunnel Authority**

Mr. Konstalid presented the resolution to Authorize the Executive Director to Execute an Interagency Agreement C132945 with the Triborough Bridge & Tunnel Authority.

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

Upon motion duly made and seconded, the Board the Executive Director to Execute an Interagency Agreement C132945 with Triborough Brdige & Tunnel Authority and adopted the following resolution:

**RESOLUTION NO. 6362**

**AUTHORIZING THE EXECUTIVE DIRECTOR TO  
EXECUTE AN INTERAGENCY AGREEMENT C132945  
WITH THE TRIBOROUGH BRIDGE & TUNNEL  
AUTHORITY**

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RESOLVED, that the Executive Director or his designee  
be, and hereby is, authorized to execute an interagency  
Agreement with the Triborough Bridge & Tunnel Authority; and  
be it further

RESOLVED, that the maximum amount payable for this  
Agreement is \$1,105,994.61, and shall be on such other terms and  
conditions as the Executive Director and General Counsel  
determine to be in the best interests of the Authority; and be it  
further

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

**Item 9 by Frank Hoare (Appendix I)**

**Declaring Real Property Reference No. 536, Located in the Villages of Suffern and Montebello and Town of Ramapo and County of Rockland, as Not Necessary for the Authority's Corporate Purposes and Authorizing the Sale Thereof**

Mr. Hoare presented the resolution to Declare Real Property Reference No. 536 Located in the Villages of Suffern and Montebello and Town of Ramapo and County of Rockland, as Not Necessary for the Authority's Corporate Purposes and Authorizing the Sale.

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 Sale of Real Property Reference No. 536 and adopted the following resolution:

**RESOLUTION NO. 6363**

DECLARING REAL PROPERTY REFERENCE NO. 536,  
LOCATED IN THE VILLAGES OF SUFFERN AND  
MONTEBELLO AND TOWN OF RAMAPO, COUNTY OF  
ROCKLAND, AS NOT NECESSARY FOR THE AUTHORITY'S  
CORPORATE PURPOSES AND AUTHORIZING THE AUCTION  
THEREOF

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RESOLVED, that the Board hereby finds, determines, and declares that all remaining right, title and interest in and to Real Property Reference No. 536 (hereinafter, "Subject Property"), as shown and delineated on Exhibits I and II, attached hereto and made a part hereof, is not necessary for the Authority's corporate purposes and, therefore, available for auction, and be it further

RESOLVED, that the Executive Director, or his designee(s), be and the same hereby is/are, authorized to conduct a public auction (hereinafter, "Auction") of the property at a minimum-bid amount of \$255,000 (hereinafter, "Minimum Bid"); and be it further

RESOLVED, that the Executive Director be, and the same hereby is, authorized to accept the highest bid that meets or exceeds the Auction's 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 bidder, and be it further

RESOLVED, that the Authority, as the SEQRA Lead Agency, has classified the proposed action as an Unlisted Action, and 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 10 by Josh Klemm (Appendix J)**

**Authorizing Agreements with Various Telecommunications Providers for the Use of the New York State Thruway Authority's Fiber Optic System**

Mr. Klemm presented the resolution for Authorizing Agreements with Various Telecommunications Providers for the Use of the New York State Thruway Authority's Fiber Optic System.

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

Upon motion duly made and seconded, the Board authorized Agreements with Various Telecommunications Providers for the Use of the New York State Thruway Authority's Fiber Optic System and adopted the following resolution:

**RESOLUTION NO. 6364**

**AUTHORIZING AGREEMENTS WITH VARIOUS  
TELECOMMUNICATIONS PROVIDERS FOR THE USE OF THE  
NEW YORK STATE THRUWAY AUTHORITY'S FIBER OPTIC  
SYSTEM**

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

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

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

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

**Item 11 by Rich Lee (Appendix K) Term Agreement for D214876 Construction Inspection Support Services**

Mr. Lee presented the resolution for a Term Agreement for D214876 Construction Inspection Support 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 Term Agreement for D214876 Construction Inspection Support Services and adopted the following resolution:

RESOLUTION NO. 6365

AUTHORIZING THE EXECUTION OF AGREEMENT D214876  
WITH POPLI ARCHITECTURE + ENGINEERING & L.S., DPC

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RESOLVED, that the Chief Engineer or his designee be and he hereby is, authorized to execute agreement D214876 with Popli Architecture + Engineering & L.S., DPC, as listed in Exhibit A, attached Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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

**Item 12 by Rich Lee (Appendix L) Term Agreement for D214879 Material Testing and Inspection – Albany and Syracuse Divisions**

Mr. Lee presented the resolution for a Term Agreement for D214879 Material Testing and Inspection – Albany and Syracuse Divisions.

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

Upon motion duly made and seconded, Term Agreement for D214879 Material Testing and Inspection – Albany and Syracuse Divisions and adopted the following resolution:

**RESOLUTION NO. 6366**

**AUTHORIZING THE EXECUTION OF AGREEMENT D214879  
WITH ATLANTIC TESTING LABORATORIES, LIMITED**

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214879 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 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 General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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

**Item 13 by Rich Lee (Appendix M) Term Agreements for D214877 and D214878 Testing and Inspection of Structural Steel Statewide, Regional and National**

Mr. Lee presented the resolution for Term Agreements for D214877 and D214878 Testing and Inspection of Structural Steel Statewide, Regional and National..

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

Upon motion duly made and seconded, Term Agreements for D214877 and D214878 Testing and Inspection of Structural Steel Statewide, Regional and National and adopted the following resolution:

**RESOLUTION NO. 6367**

**TERM AGREEMENTS FOR D214877 AND D214878 TESTING  
AND INSPECTION OF STRUCTURAL STEEL STATEWIDE,  
REGIONAL AND NATIONAL**

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement (D214877) with Bureau Veritas North America, and agreement (D217878) with HRV Conformance Associates, Inc.; as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete

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

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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

**Item 14 by Rich Lee (Appendix N) Term Agreements for D214880 and D214881 Land Surveying and Right- of- Way Mapping Services – Albany, Buffalo, New York and Syracuse Divisions**

Mr. Lee presented the resolution for Term Agreements for D214880 and D214881 Land Surveying and Right- of- Way Mapping Services – Albany, Buffalo, New York and Syracuse Divisions.

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

Upon motion duly made and seconded, Term Agreements for D214880 and D214881 Land Surveying and Right-of-Way Mapping Services and adopted the following resolution:

RESOLUTION NO. 6368

TERM AGREEMENTS FOR D214880 AND D214881 LAND  
SURVEYING AND RIGHT-OF-WAY MAPPING SERVICES –  
ALBANY, BUFFALO, NEW YORK AND SYRACUSE DIVISIONS

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement (D214880) with Naik Consulting Group, PC, and agreement (D214881) with Fisher Associates, P.E., L.S., L.A., DPC, as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through these agreements, with the Maximum Amount Payable of the agreements not to exceed the amount shown in the attached Exhibit A, and such agreements shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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

**Item 15 by Rich Lee (Appendix 0) Term Agreement for D214882 – Environmental Services - Statewide**

Mr. Lee presented the resolution for Term Agreement for D214882- Environmental Services – Statewide.

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

Upon motion duly made and seconded, Term Agreement for D214882 - Environmental Services – Statewide and adopted the following resolution:

**RESOLUTION NO. 6369**

**AUTHORIZING THE EXECUTION OF AGREEMENT D214882  
WITH ENTECH ENGINEERING**

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement (D214882) with Entech Engineering, as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program

Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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

**Item 16 by Rich Lee (Appendix P) Authorizing Additional Funding for D214341**

Mr. Lee presented the resolution for Authorizing Additional Funding for D214341.

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

Upon motion duly made and seconded, for Authorizing Additional Funding for D214341 and adopted the following resolution:

**RESOLUTION NO. 6370**

**AUTHORIZING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 3 TO ENGINEERING AGREEMENT D214341**

RESOLVED, that the Chief Engineer be, and he hereby is, authorized to execute Supplemental Agreement No. 3 to D214341 with Jacobs Civil Consultants Inc. 800 Market Street, Saint Louis Missouri, 63150-8713 , for an additional sum of \$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 D214341 be \$3,000,000, and be it further

RESOLVED, that sufficient authorization is included in the 2022 Contracts Program for Supplemental Agreement D214341, 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 Agreements, manage and administer the Supplemental Agreement, amend the provisions of the Supplemental Agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the Supplemental Agreement in the best interest of the Authority, and be it further

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

**Item 17 by Andrew Trombley (Appendix Q) Report on Procurement Contracts and Other Agreements Up to \$300,000 Executed by the Executive Director During the Period January 1, 2022 through March 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 January 1, 2022 through March 31, 2022.

**Item 18 by Executive Director Driscoll (Appendix R) Authorization for the Executive Director to Approve 2022 Salary Actions for Management/Confidential Employees**

Executive Director Driscoll presented the resolution for Authorization for the Executive Director to Approve 2022 Salary Actions for Management/Confidential Employees.

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

Upon motion duly made and seconded, for Authorizing the Executive Director to Approve 2022 Salary Actions for Management/ Confidential Employees and adopted the following resolution:

RESOLUTION NO. 6371

AUTHORIZATION FOR THE EXECUTIVE DIRECTOR TO  
APPROVE 2022 SALARY ACTIONS FOR  
MANAGEMENT/CONFIDENTIAL EMPLOYEES

RESOLVED, the Executive Director be, and is hereby is,  
authorized to take the necessary steps to grant and implement any 2022  
salary actions for M/C employees that have been afforded to Executive  
Branch M/C employees, and be it further

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

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

**GENERAL PUBLIC COMMENT PERIOD**

Chair Mahoney asked Ms. Morris if there was any public comment regarding the Board Meeting and Ms. Morris said yes by Maury Bodin. Matthew Trapasso read Maury's comments.

**ADJOURNMENT**

There being no other business, upon motion duly made and seconded, the board voted to adjourn the meeting at 12:07 p.m.

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Tanya M. Morris  
Board Secretary

Meeting No. 755  
Item 2  
Appendix B

TO: The Thruway Authority Board

DATE: September 12, 2022

FROM: Matthew A. Howard  
Chief Financial Officer

SUBJECT: Financial Report – April, May and June 2022

The Chief Financial Officer is formally submitting a copy of the Financial Report for the months of April, May and June 2022.

The Finance Committee considered this item at its September 12, 2022 meeting and recommended that this item be presented to the full Board for consideration.

SUBMISSION:

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



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Chief Financial Officer

APPROVED:



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Executive Director

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

Meeting No. 755  
Item 3  
Appendix C

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

DATE: September 12, 2022

SUBJECT: Investment Transactions – Second Quarter Investments 2022

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

The attached Exhibit A presents the details of all investments purchased during the Quarter ending June 30, 2022. The attached Exhibit B details the investments held as of June 30, 2022. These Exhibits are submitted in accordance with the Authority's Investment Policy as approved by the Board on March 28, 2022.

The Finance Committee considered this item at its September 12, 2022 meeting and recommended that this item be presented to the full Board for consideration.

RECOMMENDATION:

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



Chief Financial Officer

RECOMMENDATION APPROVED:



Executive Director

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

Meeting No. 755  
Item 4  
Appendix D

TO: The Thruway Authority Board

DATE:

FROM: Matthew J. Driscoll  
Executive Director

SUBJECT: Staff Appointment of Mary F. Boehm as Director of Audit and Management Services

Under the direction of the Executive Director, the Director of Audit and Management Services is responsible for a program of continuous comprehensive audit and review of the administration and operation of the New York State Thruway Authority. The review encompasses objectives, policies, organization structures and work practices. The Director manages the Department of Audit and Management Services handling staffing, planning and budget functions. This Staff position is critical to the efficient and effective operation of the organization. Ms. Boehm has been serving as the Acting Director of Audit and Management Services since December 30, 2022.

I recommend Mary Boehm be appointed to the position effective, September 12, 2022, at a Salary Grade 34, with an annual salary of \$156,074.

**RECOMMENDATION:**

It is recommended the Board adopt the following resolution:

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

**STAFF APPOINTMENT OF MARY BOEHM AS  
DIRECTOR OF AUDIT AND MANAGEMENT SERVICES**

Meeting No. 755  
Item 4  
Appendix D

RESOLVED, that the BOARD hereby appoints  
Mary Boehm as Director of Audit and Management  
Services effective September 12, 2022 with an annual  
salary of \$156,074, for which funds are available in the  
2022 Operating Budget, and it be further

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



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Executive Director



TO: The Thruway Authority Board

DATE: September 12, 2022

FROM: James K. Konstalid  
Director of Maintenance and Operations

SUBJECT: Authorizing the Waiver of Competitive Procedures for a Sole Source Contract with INEX Technologies LLC for Spare Parts/Depot Repair of License Plate Reading Systems

The New York State Thruway Authority (“Authority”) implemented Cashless Tolling in November 2020. The Authority utilizes INEX Technologies LLC license plate reading systems in all four Thruway Divisions at ramp gantry tolling locations. There are 282 license plate reader cameras in use across the Thruway.

INEX Technologies provides license plate reading systems to the tolling industry for the use in violation enforcement, video tolling and other tolling uses. This is a sole source procurement for compatibility and compliance reasons. The components that are part of this contract are only available from the manufacturer, INEX Technologies LLC. There are no other vendors that can supply or repair these proprietary components for the INEX Technology LLC systems. No substitutes are allowed, and this contract only covers components and parts that are manufactured by or sold only through INEX Technologies. The system components in this procurement are compatible with the existing system installation and are only available from one single supplier, INEX Technologies LLC. All components supplied by INEX Technologies LLC satisfy compatibility, compliance, quality, service, and support requirements.

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 goods and services required, or there is a historical

relationship, the continuation of which is in the best interest of the Authority. Given the specialized nature of the license plate reading system and the inability of the Authority to purchase spare parts and depot repair for this system from any other provider, waiving the competitive process is clearly in the best interest of the Authority. The necessary exemption approval has been sought and granted from the New York State Office of the Comptroller.

The Department of Maintenance and Operations has funds in the 2022 Budget to cover the costs in 2022. The Department of Maintenance and Operations will allocate funds in future budget years to continue funding these services and spare parts pursuant to this agreement. The term of this agreement will begin upon approval from NYS Office of the State Comptroller through December 31, 2026 with a maximum amount payable that will not exceed \$1,580,000.00.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE WAIVER OF COMPETITIVE  
PROCEDURES FOR A SOLE SOURCE CONTRACT WITH  
INEX TECHNOLOGIES LLC FOR SPARE PARTS/DEPOT  
REPAIR OF LICENSE PLATE READING SYSTEMS

RESOLVED, that the competitive procedures required by the Thruway Authority Procurement Contracts Policy are waived and the Executive Director or his designee be, and hereby is, authorized to execute an agreement with INEX Technologies LLC for spare parts/depot repair of license plate reading systems; and be it further

RESOLVED, that the Agreement shall be for a term through December 31, 2026, for a maximum amount payable of \$1,580,000.00; and be it further

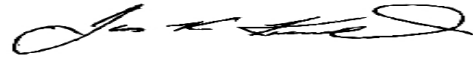
RESOLVED, that the Agreement shall be on such other terms and conditions as the Executive Director, in consultation with the Department of Maintenance and Operations and General Counsel, determines to be in the best interests of the Authority; and be it further

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

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

Meeting No. 755  
Item 5  
Appendix E

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



Director of Maintenance and Operations

RECOMMENDATION APPROVED:



Executive Director

TO: The Thruway Authority Board

DATE: September 12, 2022

FROM: James K. Konstalid  
Director of Maintenance and Operations

SUBJECT: Authorizing the Executive Director to Execute an Agreement C010678 with Kapsch TrafficCom USA, Inc. to Purchase E-ZPass Transponders and Equipment

The E-ZPass Group is a consortium of tolling agencies that determines guidelines, rules, policies, processes and agreements that support the seamless operation of the E-ZPass system. The Thruway Authority (Authority) is one of 39 members of the E-ZPass Group which has been in existence since 1994. Authority staff participates in E-ZPass Group committees that allows for representation of Authority interests. In order for the E-ZPass system to be interoperable, all of the members of the E-ZPass Group need to purchase compatible tags, readers and other equipment.

As a result of a prior Request for Proposals (“RFP”) issued by the Triborough Bridge and Tunnel Authority on behalf of the members of the E-ZPass Group, the Authority has an agreement with Kapsch TrafficCom, IVHS, Inc. for the purchase of E-ZPass transponders and equipment. That agreement was authorized by the Board on September 15, 2021 at Meeting Number 688 and will be expiring November 22, 2024. The E-ZPass Group determined it was in the best interest of the member agencies to issue a RFP for non-exclusive agreements with multiple vendors to provide competitive pricing for E-ZPass transponders and equipment while still maintaining the high technology standards that have been the cornerstone of the E-ZPass program. On June 7, 2021, the North Carolina Turnpike Authority issued an RFP on behalf of the E-ZPass Group for transponders, readers and antennas, and lane maintenance services. The RFP sought qualified vendors to provide existing technology transponders (“TDM”) but also different technology transponders (“6C”) that would allow for reciprocity across other tolling systems. The 6C transponders have no batteries which increase the life of the transponder and cost a fraction of the

TDM transponders. The E-ZPass Group plans to allow for the issuance and reading of 6C transponders by 2024 across all the member agencies tolling systems. The RFP allowed for 1) existing vendors with pre-qualified transponders and equipment; 2) new vendors with pre-qualified transponders/equipment; 3) new vendors with the ability to obtain certification for their transponders/equipment; and 4) existing vendors to obtain certification for new transponders/equipment. Currently there are two vendors that have transponders/equipment certified by the E-ZPass Group 1) Kapsch TrafficCom USA, Inc. (“Kapsch”); and 2) TransCore, LP (“TransCore”). The RFP required that all vendors meet the terms and conditions of the agreement, submit not-to-exceed pricing and have certified transponders/equipment. In addition, there will be an annual open enrollment for new vendors and 12-month pricing that must not exceed the maximum pricing bid upon in the initial submittal. This allows for annual competitive pricing on existing transponders/equipment, and new approved vendors and equipment. The E-ZPass Group has determined that Kapsch and TransCore have met all the requirements and the member agencies are in the process of executing agreements with each of these vendors. The 7-year initial term of the agreement began upon the Notice of Award by the E-ZPass Group which was December 13, 2021. As a result, the expiration of the agreement will be December 12, 2028. The agreement will also have three 1-year option years.

The Authority staff has determined that it is in the best interest of the Authority to contract with all qualified vendor(s) to allow for competitive pricing and second source transponders/equipment. The Authority will determine on an annual basis which vendor(s) that transponders/equipment will be purchased from based on the best value for each transponder/equipment offered by the qualified vendors that the Authority has under contract. Because it is unknown which vendor(s) that the Authority will purchase transponders/equipment

from every year, the maximum amount payable for each contract will allow for purchasing 100% of transponders/equipment based on the lowest price provided for each transponder/equipment anticipated to be purchased through the end of the agreements. Authority staff will track the expenditures from each qualified vendor to ensure that the total combined expenditures will not exceed \$25,000,000.

This item seeks Board authorization to enter into an agreement with Kapsch TrafficCom USA, Inc. with an expiration of December 12, 2028, three 1-year options years and a maximum amount payable of \$25,000,000. Funding is provided in the 2022 budget and will be budgeted for subsequent years by the Department of Maintenance and Operations.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE  
AN AGREEMENT WITH KAPSCH TRAFFICOM USA, INC. TO  
PURCHASE E-ZPASS TRANSPONDERS AND EQUIPMENT

RESOLVED, that the Executive Director, or his designee, be, and hereby is, authorized to execute Agreement C010678 with Kapsch TrafficCom USA, Inc. to purchase E-ZPass transponders and equipment; and be it further

RESOLVED, that the term of the Agreement shall expire on December 12, 2028 with an option for the Authority to renew for three 1-year periods; and be it further

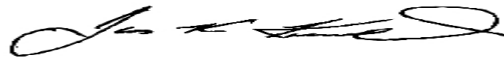
RESOLVED, that the maximum amount payable of the Agreement is \$25,000,000, and the Agreement shall be on such

other terms and conditions as the Executive Director, Director of Maintenance and Operations and General Counsel determine to be in the best interests of the Authority; and be it further

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

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

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



Director of Maintenance and Operations

RECOMMENDATION APPROVED:



Executive Director



TO: The Thruway Authority Board

DATE: September 12, 2022

FROM: James K. Konstalid  
Director of Maintenance and Operations

SUBJECT: Authorizing the Executive Director to Execute an Agreement C010679 with  
TransCore, LP to Purchase E-ZPass Transponders and Equipment

The E-ZPass Group is a consortium of tolling agencies that determines guidelines, rules, policies, processes and agreements that support the seamless operation of the E-ZPass system. The Thruway Authority (Authority) is one of 39 members of the E-ZPass Group which has been in existence since 1994. Authority staff participates in E-ZPass Group committees that allows for representation of Authority interests. In order for the E-ZPass system to be interoperable, all of the members of the E-ZPass Group need to purchase compatible tags, readers and other equipment.

As a result of a prior Request for Proposals (“RFP”) issued by the Triborough Bridge and Tunnel Authority on behalf of the members of the E-ZPass Group, the Authority has an agreement with Kapsch TrafficCom, IVHS, Inc. for the purchase of E-ZPass transponders and equipment. That agreement was authorized by the Board on September 15, 2021 at Meeting Number 688 and will be expiring November 22, 2024. The E-ZPass Group determined it was in the best interest of the member agencies to issue a RFP for non-exclusive agreements with multiple vendors to provide competitive pricing for E-ZPass transponders and equipment while still maintaining the high technology standards that have been the cornerstone of the E-ZPass program. On June 7, 2021, the North Carolina Turnpike Authority issued an RFP on behalf of the E-ZPass Group for transponders, readers and antennas, and lane maintenance services. The RFP sought qualified vendors to provide existing technology transponders (“TDM”) but also different technology transponders (“6C”) that would allow for reciprocity across other tolling systems. The 6C transponders have no batteries which increase the life of the transponder and cost a fraction of the

TDM transponders. The E-ZPass Group plans to allow for the issuance and reading of 6C transponders by 2024 across all the member agencies tolling systems. The RFP allowed for 1) existing vendors with pre-qualified transponders and equipment; 2) new vendors with pre-qualified transponders/equipment; 3) new vendors with the ability to obtain certification for their transponders/equipment; and 4) existing vendors to obtain certification for new transponders/equipment. Currently there are two vendors that have transponders/equipment certified by the E-ZPass Group 1) Kapsch TrafficCom USA, Inc. (“Kapsch”); and 2) TransCore, LP (“TransCore”). The RFP required that all vendors meet the terms and conditions of the agreement, submit not-to-exceed pricing and have certified transponders/equipment. In addition, there will be an annual open enrollment for new vendors and 12-month pricing that must not exceed the maximum pricing bid upon in the initial submittal. This allows for annual competitive pricing on existing transponders/equipment, and new approved vendors and equipment. The E-ZPass Group has determined that Kapsch and TransCore have met all the requirements and the member agencies are in the process of executing agreements with each of these vendors. The 7-year initial term of the agreement began upon the Notice of Award by the E-ZPass Group which was December 13, 2021. As a result, the expiration of the agreement will be December 12, 2028. The agreement will also have three 1-year option years.

The Authority staff has determined that it is in the best interest of the Authority to contract with all qualified vendor(s) to allow for competitive pricing and second source transponders/equipment. The Authority will determine on an annual basis which vendor(s) that transponders/equipment will be purchased from based on the best value for each transponder/equipment offered by the qualified vendors that the Authority has under contract. Because it is unknown which vendor(s) that the Authority will purchase transponders/equipment

from every year, the maximum amount payable for each contract will allow for purchasing 100% of transponders/equipment based on the lowest price provided for each transponder/equipment anticipated to be purchased through the end of the agreements. Authority staff will track the expenditures from each qualified vendor to ensure that the total combined expenditures will not exceed \$25,000,000.

This item seeks Board authorization to enter into an agreement with TransCore, LP with an expiration of December 12, 2028, three 1-year options years and a maximum amount payable of \$25,000,000. Funding is provided in the 2022 budget and will be budgeted for subsequent years by the Department of Maintenance and Operations.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE  
AN AGREEMENT WITH TRANSCORE, LP TO PURCHASE  
E-ZPASS TRANSPONDERS AND EQUIPMENT

RESOLVED, that the Executive Director, or his designee, be, and hereby is, authorized to execute Agreement C010679 with TransCore, LP to purchase E-ZPass transponders and equipment; and be it further

RESOLVED, that the term of the Agreement shall expire on December 12, 2028 with an option for the Authority to renew for three 1-year periods; and be it further

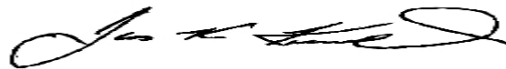
RESOLVED, that the maximum amount payable of the Agreement is \$25,000,000, and the Agreement shall be on such

other terms and conditions as the Executive Director, Director of Maintenance and Operations and General Counsel determine to be in the best interests of the Authority; and be it further

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

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

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



Director of Maintenance and Operations

RECOMMENDATION APPROVED:



Executive Director

DATE: September 12, 2022

FROM: James K. Konstalid  
Director of Maintenance and Operations

SUBJECT: Authorizing the Executive Director to Execute a Contract Amendment with the Town of Grand Island for the Provision of Sewer Services for the Western New York Welcome Center

In 2018, the Thruway Authority entered into an agreement with the Town of Grand Island to provide sewer services to the Western New York Welcome Center located in the Town of Grand Island that is owned by the Thruway Authority. The agreement was for two years and then extended by the Thruway Authority for two additional years. The agreement expires on December 31, 2022. Thruway Authority staff is desirous of extending the agreement on a long-term basis for up to twenty-five (25) years, and the Town of Grand Island is willing to continue to provide services. The extension of the term would commence as of January 1, 2023 and end on December 31, 2048.

The maximum amount payable under the agreement as extended is \$125,000. The usage rate is calculated by multiplying the water consumption for the Welcome Center for the preceding year, in thousand gallons of water unit measure, by two times the Sewer Usage Rate in effect for in-district users for the year to which the charges relate.

The Thruway Authority will have the ability to terminate the agreement upon 60-day written notice from the Thruway Authority that it no longer wishes to receive sewer service from the Town. The Town has the ability to terminate the agreement after a five-year period; afterwards, the Town may terminate the agreement with no less than 730-days written notice of termination to the Thruway Authority.

The Department of Maintenance and Operations will allocate sufficient funds in its budgets to account for this agreement.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE  
A CONTRACT AMENDMENT WITH THE TOWN OF GRAND  
ISLAND FOR THE PROVISION OF SEWER SERVICES FOR  
THE WESTERN NEW YORK WELCOME CENTER

RESOLVED, that the Executive Director, or his designee, be, and hereby is, authorized to negotiate and execute a contract amendment with the Town of Grand Island to provide sewer services for the Western New York Welcome Center; and be it further

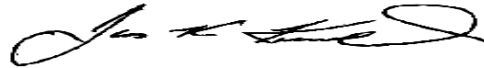
RESOLVED, that such amendment will be for a term of twenty-five (25) years, shall have a maximum amount payable not to exceed \$125,000, and shall be on such other terms and conditions as the Executive Director, Director of Maintenance and Operations and General Counsel determine to be in the best interest 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

Meeting No. 755  
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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:



Executive Director

TO: The Thruway Authority Board

DATE: September 12, 2022

FROM: James K. Konstalid  
Director of Maintenance and Operations

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

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

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

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

In accordance with Purchasing Policy 25-5-01, Section IV, Waiver of Competition, the Board may waive the use of the competitive procedure for procurement contracts when there is a condition that exists that makes it impractical or not in the Authority’s best interest to seek competition due to the specialized nature of the goods or services required, or there is a historical



relationship, the continuation of which is in the best interest of the Authority. Given the ongoing need to maintain CAD/RMS and the historical and beneficial relationship between MCP and the Authority involving these specialized services, waiving competition is in the best interest of the Authority.

The Department of Maintenance and Operations has funds in the 2022 Budget which will be allocated to this project. The term of this Amendment will be one (1) year with a maximum amount payable that will not exceed \$59,700.00.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

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

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

RESOLVED, that such Agreement will be for a term of one (1) year, shall have a maximum amount payable not to exceed \$59,700.00, and shall be on such other terms and conditions as the

Executive Director and General Counsel determine to be in the best interest of the Authority; and be it further

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

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



Director of Maintenance and Operations

RECOMMENDATION APPROVED:



Executive Director

TO: The Thruway Authority Board  
FROM: Josh Klemm  
Chief Information Officer

DATE: September 12, 2022

SUBJECT: Authorizing the Executive Director to Execute a Non-Engineering Personal Services Contract With Fugro USA Land, Inc. to Provide Data Conversion, iVision5 Software Cloud Hosting and Maintenance and Support Services.

In accordance with the Authority's Procurement Contracts Policy, Board authorization is requested to execute a Non-Engineering Personal Services Contract with Fugro USA Land, Inc. (Fugro) to provide data conversion, the right to use iVision5 cloud hosted software, and maintenance and support services.

iVision software is utilized by the Engineering Department and the Thruway State Operations Center ("TSOC") to view roadway images and analyze road data. Roadway data is collected yearly by an Automatic Road Analyzer ("ARAN") which includes the capture of digital images, video logs, and geospatial information. After collection, this data is then converted and uploaded into the iVision software which provides web-based viewing and analysis tools of collected data. With iVision, Authority staff can view synchronized video logs, pavement images, pavement management and condition data pertaining to all Thruway right of way. Using ESRI's ArcGIS enterprise portal, staff can also access visualization features such as maps, charts, reports and imagery with pavement images and distress overlays.

The currently deployed version of iVision4 that is installed on-premise at the Authority has reached the end of its life. iVision4 uses deprecated web browser functionality (Silverlight) and is also no longer supported by the vendor. With the latest version of iVision5, Fugro has moved to a fully cloud only hosted solution. The Authority's maintenance contract with Fugro expired

in 2021.

Under this contract, Fugro will provide cloud hosting of the last five (5) data collection cycles (years). Hosted data will be stored on secured servers available to an unlimited number of Authority staff.

The contract term is for one year with two optional one year renewals. The Authority utilizes ARAN data collected by the New York State Department of Transportation (“DOT”) at no charge which is then converted by Fugro for exclusive Authority use. Data conversion is \$3 per mile which is estimated to be \$8,385 for 4,2795 miles over the life of this contract. In 2023, DOT will start collecting only 1 direction on the Thruway, alternating each year. The Authority has decided this is sufficient for our operations and will help in reducing data conversion costs. Hosting and annual maintenance charges are estimated to be \$27,648 for the life of this contract.

Services will be billed annually. This contract will expire on December 31<sup>st</sup>, 2024. The maximum amount payable for the term of this contract will not exceed \$49,500. The Department of Information Technology has funds in its 2022 budgets and will budget in the future 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 FUGRO USA LAND, INC. TO PROVIDE DATA CONVERSION, IVISION5 SOFTWARE CLOUD HOSTING AND MAINTENANCE AND SUPPORT SERVICES.

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RESOLVED, that the Executive Director or his designee be,  
and hereby is, authorized to execute a Non-Engineering Personal

Services Contract with Fugro USA Land, Inc. for a maximum amount payable of \$49,500.00 over a one year term with two optional one year renewals through December 31, 2024 for the purpose of providing personal services and cloud hosting related to the iVision5 software platform; and be it further

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 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.



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Chief Information Officer

RECOMMENDATION APPROVED:



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Executive Director

TO: The Thruway Authority Board

DATE: September 12, 2022

FROM: Joshua Klemm  
Chief Information Officer

SUBJECT: Authorizing an Agreement with Crown Castle Fiber LLC for the Use  
of the New York State Thruway Authority's Fiber Optic System

Crown Castle Fiber LLC ("Crown Castle" or "User") has requested the use of the New York State Thruway Authority's ("Authority") fiber optic system ("System") for their own use. The assets to be leased to the User are detailed in Exhibit 2. Total fees payable by the User to the Authority are \$930,616.80 and the breakdown of such is contained in Exhibit 1.

Under the agreement, the Authority will also provide maintenance of the System and electric power in the regeneration facilities. Maintenance will be furnished through a third-party contractor retained by the Authority, presently Adesta LLC.

Public Authorities Law ("PAL") § 2897 (6) (f) allows for disposals of the Authority's System, or any part thereof, through agreements based on set fees and does not require public auction for them, provided that: (i) the Authority has determined the disposal of such property complies with all applicable provisions of the PAL; (ii) the disposal is in the best interests of the Authority and (iii) the set fees established by the Authority for use of the fiber optic system or part thereof shall be based on an independent appraisal of the fair market value of the property. PAL § 2897 (6) (f) also requires that the agreements be sent to the Attorney General's Office and the Office of the State Comptroller for their review and approval.

Staff advises that the disposal: (i) is in the best interest of the Authority because it will provide value to the Authority through long-term agreement; and (ii) the disposal complies with all applicable terms of the PAL. The Authority obtained an independent appraisal establishing the fair market value of the duct, fiber optic cable and regeneration building space. The Authority's Finance Committee for Fiber Optics consisting of executive staff reviewed the valuation and approved the User fees for this disposal. The fees to be charged the User are set forth in the Exhibits.

In addition, it is recommended the Chief Information Officer ("CIO") be delegated the authority to make all necessary decisions pursuant to SEQRA<sup>1</sup> as needed to execute and administer the Agreement, and any future agreements relative to any use of the System.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

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

AUTHORIZING AN AGREEMENT WITH CROWN CASTLE  
FIBER LLC FOR THE USE OF THE NEW YORK STATE  
THRUWAY AUTHORITY'S FIBER OPTIC SYSTEM

RESOLVED, that agreement with Crown Castle Fiber LLC  
set forth in this agenda item for the use and maintenance of the  
Authority's fiber optic system ("System") on the terms and  
conditions contained in the agenda item and such other terms as are

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1. New York State Environmental Conservation Law Article 8, and implementing regulations 6 NYCRR Part 617 et seq.

deemed to be in the best interest of the Authority by the Chief Information Officer, the General Counsel and the Chief Financial Officer, be, and hereby are, authorized, and be it further

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

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

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



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



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Chief Information Officer

RECOMMENDATION APPROVED:



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Executive Director

TO: The Thruway Authority Board

DATE: September 12, 2022

FROM: Frank Hoare  
General Counsel

SUBJECT: Reaffirming Previously Approved Board Resolution No. 6343 Declaring Real Property Reference No. TN20-3 - Subject Property A, 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 A (hereinafter, "Subject Property A"), 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 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.

PROPERTY DESCRIPTION:

Subject Property A, comprising of 0.135± acres, is situated off the north 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±. Subject Property A 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:

Subject Property A is 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 and owned by 304 Nanuet Realty, LLC (hereinafter, “Applicant”). The Applicant submitted an application and indicated its intent to assemble the Subject Property A 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 Subject Property A.

#### VALUATION:

In accordance with the Authority’s Standard Operating Procedures, the value of Subject Property A was independently appraised by an appraisal consultant, GAR Associates, LLC (hereinafter, “Consultant”). The value of Subject Property A was estimated at \$150,000. The Consultant considered the value of the parcel as a single estimate of the present value and under the assumption that the Subject Property A 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 Subject Property A 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 \$85,000.

#### APPROVAL PROCESS:

Subject Property A was previously deemed to be appropriate for disposal via auction under a transactional analysis and recommendation that I affirmed. Based upon the aforementioned

valuation, ORPM recommended that Subject Property A be auctioned and that a minimum auction bid of \$150,000 for Subject Property A be approved.

The subsequent February 2022 Auction, resulted in one bid for Subject Property A, which did not meet or exceed the set minimum bid of \$150,000. The Bid for Subject Property A, 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 Subject Property A for \$85,000.

It is further recommended that the Executive Director be authorized to execute therewith an agreement for the sale of Subject Property A. 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.

GENERAL COUNSEL’S CERTIFICATION:

In my capacity as 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 A, 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

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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 A”), 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 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 Subject Property A be, and the same hereby is, authorized for conveyance to 304 Nanuet 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 \$85,000; and be it further

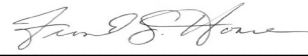
RESOLVED, that the Executive Director, or his designee, be, and the same hereby is, authorized to execute an agreement for Subject Property A with the Applicant on the terms and conditions specified herein and other terms and conditions deemed by General Counsel to be in the Authority’s best interest,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

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



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General Counsel

RECOMMENDATION APPROVED:



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Executive Director

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## Exhibit I

Meeting No.	752
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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

**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. <input type="checkbox"/> Yes <input type="checkbox"/> No	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	
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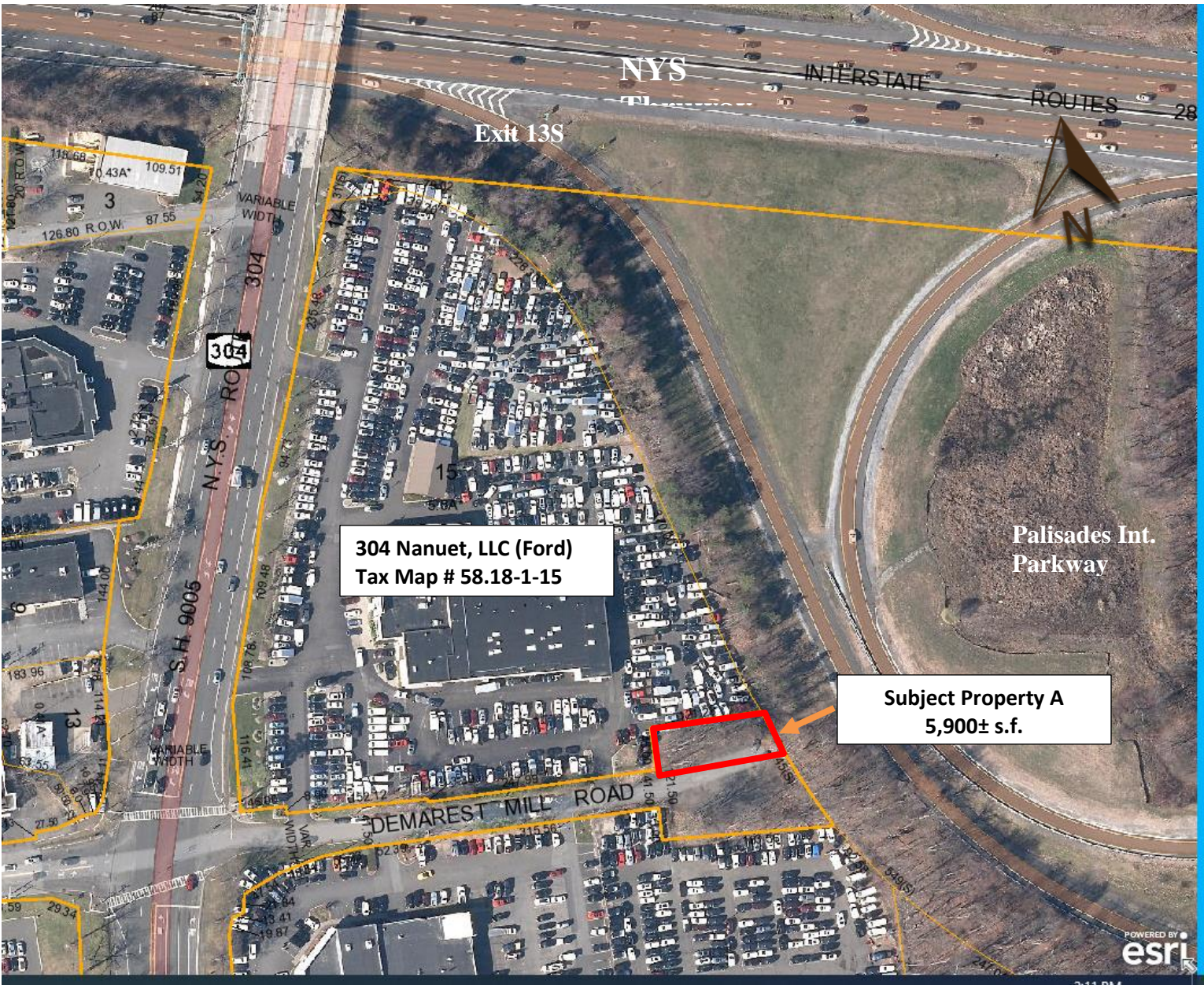
**Exhibit II**

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L



Exhibit III







TO: The Thruway Authority Board

DATE: September 12, 2022

FROM: Frank Hoare  
General Counsel

SUBJECT: Declaring a Permanent Easement, Real Property Reference No. TB21-1, as Not Necessary for the Authority's Corporate Purposes and Authorizing its Release to GRHS Foundation, Inc.

TRANSACTION:

Proposed is the release of a permanent easement, Real Property Reference No. TB21-1 (hereinafter, "Subject Easement"), to GRHS Foundation, Inc. (hereinafter, "Applicant"), to the owner of real property (hereinafter, "Servient Estate") currently encumbered by the Subject Easement.

SUBJECT PROPERTY DESCRIPTION:

The portion of the Servient Estate encumbered by the Subject Easement has an area of 0.49± acre (21,432± square feet); is detached from the mainline section of the Thruway at 8103 Oak Orchard Road (NYS Route 98) in the Town of Batavia and County of Genesee; fronts the easterly side of N.Y.S. Route 98; and is shown on the aerial site sketch and survey map attached hereto, respectively, as Exhibits I and II. The Subject Easement was acquired by the Authority in 1954 for the purpose of accommodating an open ditch to facilitate drainage for the operational benefit of a portion of N.Y.S. Route 98 that was relocated in conjunction with, and as a result of, the original construction of the Thruway.

The Applicant seeks to clear title to the Servient Estate, which has an area of 8.274± acres (including the area encumbered by the Subject Easement) and is the site of a medical facility which is presently under construction.



VALUATION:

In accordance with the Authority's standard operating procedures, the release value of the Subject Easement was independently estimated by an appraisal consultant, CNY Pomeroy Appraisers, Inc.

In an appraisal review conducted by staff from the Office of Real Property Management (hereinafter, "ORPM"), the estimated release value of \$88,500 was found to be justified, defensible and soundly reasoned. Such value was also found to be not less than the Subject Easement's market value.

APPROVAL PROCESS:

The Subject Easement was deemed to be appropriate for release via a duly approved transactional analysis and recommendation in accordance with Thruway standard operating procedures.

Staff from the state Attorney General's Real Property Bureau previously advised the Authority that a direct release of an easement to the owner of the burdened property (the Servient Estate) is permissible without conducting an auction or other competitive solicitation.

Based upon the aforementioned information, ORPM has recommended that the Subject Easement be declared as not necessary for the Authority's corporate needs and be released to the Applicant: (1) for consideration in the amount of \$88,500 and (2) directly without competitive solicitation.

If the foregoing terms are acceptable to the Applicant, it is further recommended that the Executive Director, or his designee, be authorized to execute therewith an agreement for release

of easement. In accordance with the Thruway Real Property Management Policy, such agreement would be subject to approval by the Attorney General and by the State Comptroller.

GENERAL COUNSEL’S CERTIFICATION:

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

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

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

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

DECLARING A PERMANENT EASEMENT, REAL PROPERTY  
REFERENCE NO. TB21-1, AS NOT NECESSARY FOR THE  
AUTHORITY’S CORPORATE PURPOSES AND  
AUTHORIZING ITS RELEASE TO GRHS FOUNDATION, INC.

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RESOLVED, that the Board of the New York State Thruway  
Authority (hereinafter, “Board”) hereby finds, determines, and  
declares that all remaining right, title and interest in and to Real  
Property Reference No. TB21-1 (hereinafter, “Subject Easement”),  
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 to be released; and be it further

RESOLVED, that the Subject Easement be, and the same hereby is, authorized to be released to GRHS Foundation Inc. (hereinafter, "Applicant"), pursuant to the New York Public Authorities Law section 354, subd. 4, without competitive solicitation; and be it further

RESOLVED, that such release of the Subject Easement to the Applicant be predicated upon payment of consideration in the amount of \$88,500; and be it further

RESOLVED, that the Executive Director or his designee, be, and the same hereby is, authorized to execute an agreement for release of easement 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 be it further

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

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

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

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

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



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General Counsel

RECOMMENDATION APPROVED:



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Executive Director

Exhibit I

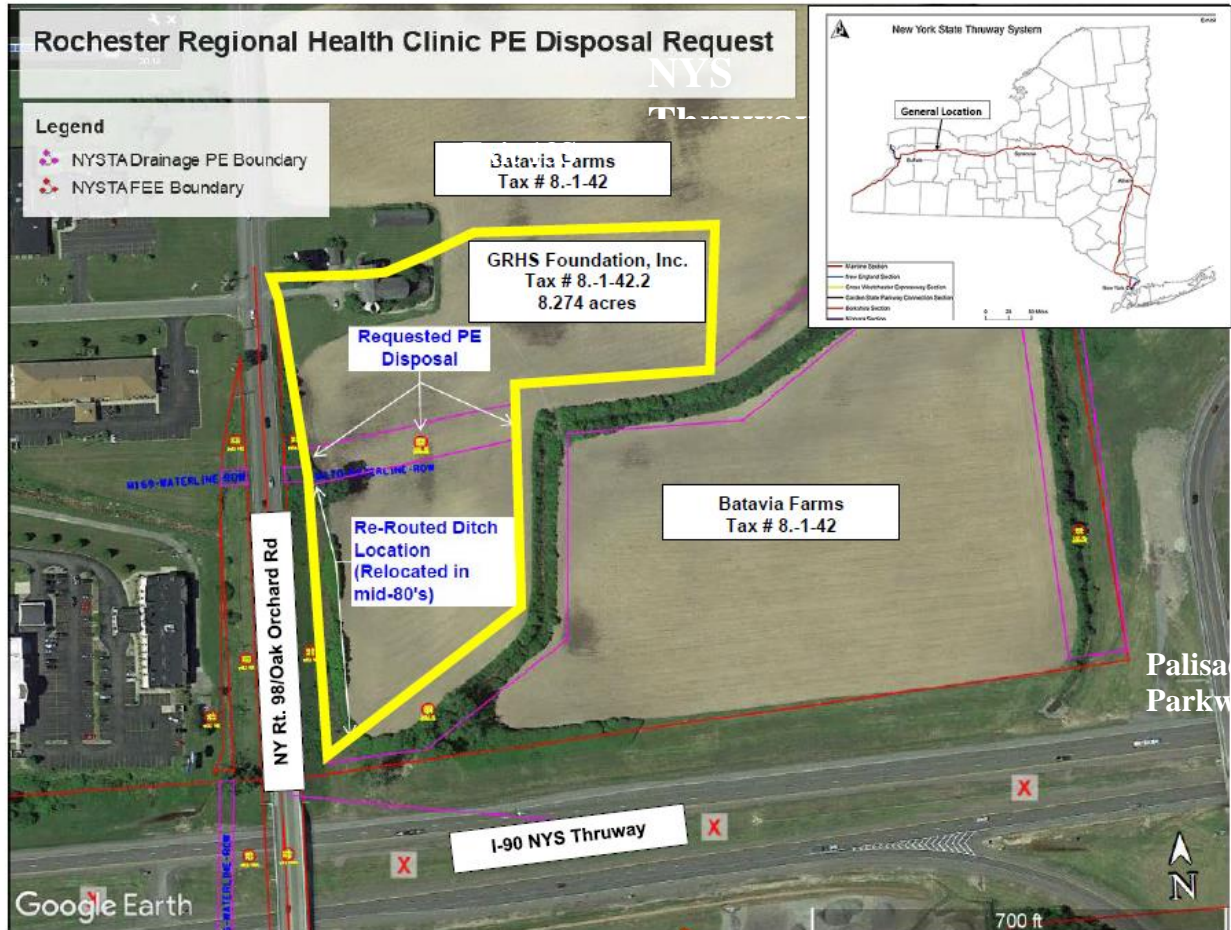
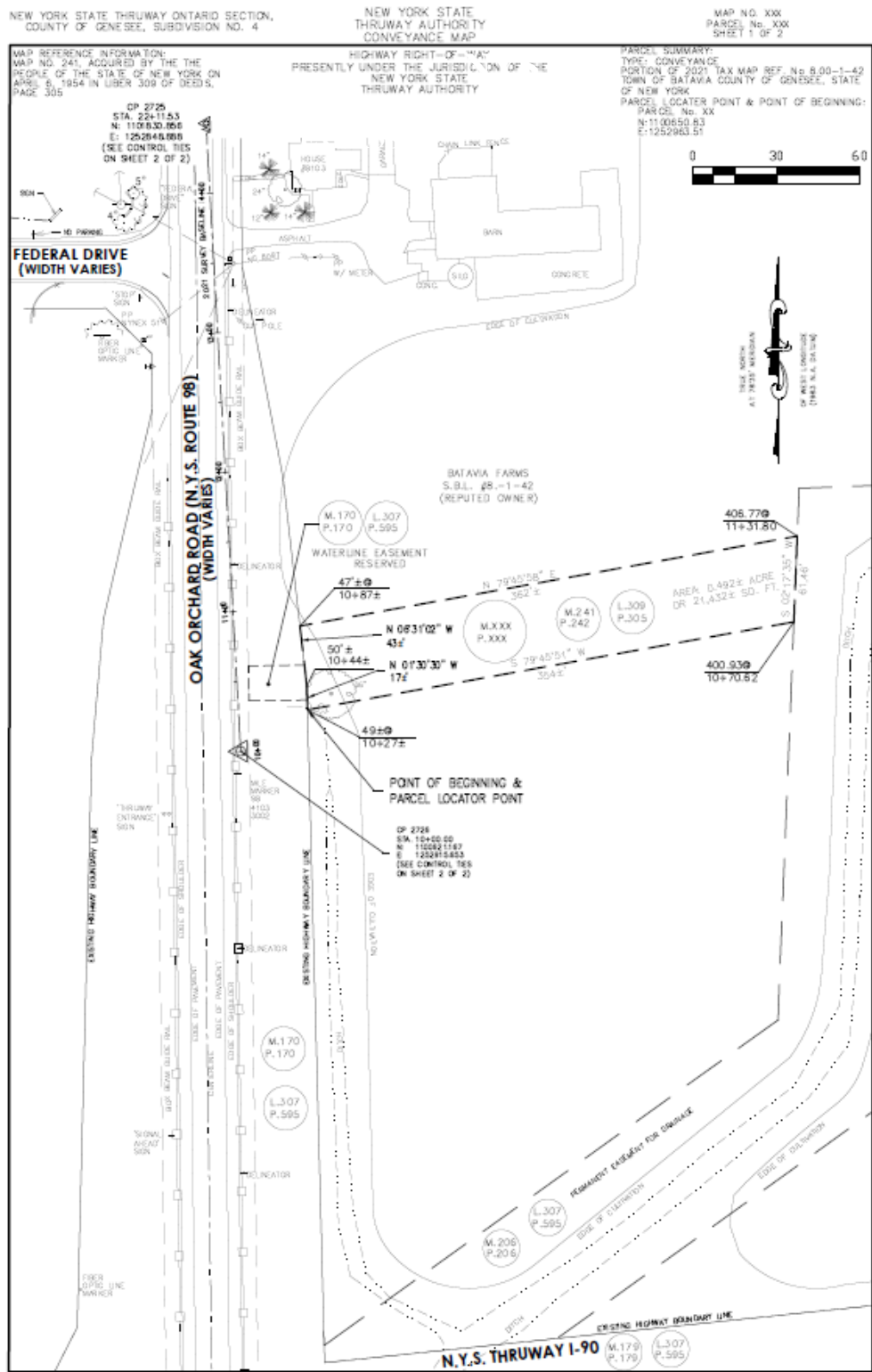


Exhibit II



TO: The Thruway Authority Board

DATE: September 12, 2022

FROM: Frank Hoare  
General Counsel

SUBJECT: Authorizing the Executive Director to Execute a Contract with  
Greenman-Pedersen Inc. for Land Acquisition Services

The New York State Thruway Authority (hereinafter, “Authority”) must comply with New York State and Federal Laws and Regulations when acquiring real property for construction projects, maintenance projects and operations purposes.

On January 19, 2022, the Authority advertised in the New York State Contract Reporter its issuance of the RFP #21C33 for Land Acquisition Services. The RFP was made available on the Authority’s website and an announcement was emailed to 34 potential vendors who were on the Authority’s bidders list. By the due date of March 9, 2022, the Authority received two proposals in response to the RFP. An evaluation committee representing the Authority’s Office of Real Property Management, the Legal Department and Engineering Department reviewed and scored the proposals against pre-defined evaluation criteria. One Proposer who submitted a joint proposal was deemed non-responsive based on having submitted two fee proposals instead of the required one fee proposal with a blended rate incorporating the work of all employees. The committee’s consensus scores were then multiplied by previously established weights for each evaluation criteria and a weighted score was assigned to the proposal. The firm, Greenman-Pedersen Inc. (hereinafter, “GPI”), was found to be fully responsive.

GPI has been in business since 1966 and is an industry leader providing a full range of quality services including planning, survey, mapping and right of way to a variety of government agencies and municipalities. GPI has successfully performed eminent domain real property acquisitions,

serving multiple towns and counties in the State of New York. GPI has on staff a highly regarded right of way professional with over thirty years of experience, including residential and commercial relocation assistance.

It is recommended that the Executive Director be authorized to execute a contract with GPI for a five-year period. The contract term will begin upon approval from NYS Office of the State Comptroller. The total cost is not expected to exceed \$150,000.00. The Authority has sufficient funds in the Capital Fund Budget.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

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

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE  
A CONTRACT WITH GREENMAN-PEDERSEN, INC. FOR  
LAND ACQUISITION SERVICES

RESOLVED, that the Executive Director, or his designees,  
be and the same hereby is, authorized to execute an agreement with  
Greenman-Pedersen Inc. to provide land acquisition services, and  
be it further

RESOLVED, that the Agreement shall be for a term of five  
years, for a maximum amount payable of approximately  
\$150,000.00, and be it further

RESOLVED, that the Agreement shall be on such other  
terms and conditions as the Executive Director, in consultation with

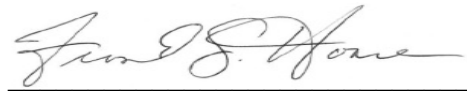


General Counsel, determines to be in the best interests of the Authority, and be it further

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

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

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

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

RECOMMENDATION APPROVED:

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

TO: The Thruway Authority Board

DATE: September 12, 2022

FROM: Frank Hoare  
General Counsel

SUBJECT: Authorizing the Executive Director to Execute a Lease Agreement for Office Space at 455 Cayuga Road, Cheektowaga, New York with Airport Commerce Park II, LLC.

This agenda item seeks authorization for the Executive Director to execute a lease agreement with Airport Commerce Park II, LLC. with respect to 17,730 square feet of office space located at 455 Cayuga Road, Cheektowaga, New York to be used in connection with the Authority's Buffalo Division Headquarters.

The Authority has been using this location as its Buffalo Division Headquarters pursuant to a lease agreement with Airport Commerce Park II, LLC. since 2002. That lease agreement, as it has been amended once, expires on September 30, 2022, and the Authority would hold over on such lease until the new lease agreement is approved by the Office of State Comptroller. The office space is already built-out for the needs of the Authority, includes ample parking, and is connected to the Authority's fiber optics system.

The lease agreement is a modified gross lease with tenant responsibility for common area maintenance costs and would be for a term of ten years from October 1, 2022 until September 30, 2032 at fixed annual rates of \$17.25 per square foot for years 1-3; \$17.75 per square foot for years 4-6; and \$18.25 for years 7-10 and one optional 10-year renewal term. Escalation may occur as a result of increases in annual real estate taxes and operating expenses. Office of Real Property Management (hereinafter, "ORPM") staff has determined that this rate is comparable to market rates for office space of similar quality.

The lease agreement will be subject to review by the Office of the Attorney General and Office of State Comptroller. The maximum amount payable under the lease would be \$4,000,000 based on base rent and potential escalations.

This proposed lease is in compliance with the Public Authorities Law and Section II.C. “Acquisitions” of the Thruway Real Property Management Policy (the "Policy"). Section V.C.2 of the Policy provides it is within the Authority's discretion whether to obtain an appraisal for leases where the Authority is the tenant. Based on the above-mentioned input from ORPM, it was determined that an appraisal was not necessary.

Inasmuch as there is an operational need to continue to lease office space for Buffalo Division Headquarters, and the premises have been improved for and are well suited to the Authority's needs, it is recommended that the Board authorize a new lease with the recommended term and rent, as well as the provisions described above.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE  
A LEASE AGREEMENT FOR OFFICE SPACE AT 455  
CAYUGA ROAD, CHEEKTOWAGA, NEW YORK WITH  
AIRPORT COMMERCE PARK II, LLC.

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RESOLVED, that a lease agreement (hereinafter, “Lease”),  
between the Authority and Airport Commerce Park II, LLC. for the  
purposes and consistent with the provisions described in this agenda  
item, be, and the same hereby is, authorized; and be it further

RESOLVED, that the Executive Director, or his designee, be, and the same hereby is, authorized to execute the Lease, along with all other documents necessary to effectuate such execution in accordance with the terms authorized during this meeting; and be it further

RESOLVED, that the Executive Director, or his designee, shall, relative to the Lease, have the authority to: (1) exercise all powers reserved to the Authority under the provisions of the Lease, including, but not limited to, exercising any termination right the Authority has, (2) manage and administer the Lease, and (3) alter the provisions of the Lease, consistent with terms of this agenda item and other applicable Board authorizations; and be it further

RESOLVED, the Executive Director, the Chief Financial Officer, and the 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

TO: The Thruway Authority Board

DATE: September 12, 2022

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

SUBJECT: Authorizing the Execution of Agreement D214886 with AECOM USA Inc.

In accordance with Authority policy, AECOM USA, Inc., has been designated to provide services through agreement D214886; as presented in Exhibit A. Board authorization is requested to execute an agreement with AECOM USA, Inc. for Bridge Design Support Services in the New York Division. Sufficient funding for agreement D214886 is provided for in the 2022-2026 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF AGREEMENT D214886  
WITH AECOM USA, INC.

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214886 with AECOM USA, Inc., as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

EXHIBIT A  
Agreements for Engineering Services

<b>D No./Agreement/ Designation Date</b>	<b>Firm/Address</b>	<b>MAP/ Contracts Program Item No.</b>	<b>Term of Agreement</b>	<b>M/WBE and SDVOB Firms/Goals</b>
D214886, Term Agreement for Bridge Design Support Services – New York Division	AECOM USA, Inc. 40 British American Boulevard, Latham, NY 12110	\$4,000,000	Three years, with an option for the Authority to extend for 2 additional 1- year term	<ul style="list-style-type: none"> <li>• Foit-Albert Associates, Architecture, Engineering and Surveying PC (MBE)</li> <li>• Shumaker Consulting Engineering &amp; Land Surveying, DPC (WBE)</li> <li>• Tolman Engineering, Architecture &amp; Surveying, PLLC (SDVOB)</li> </ul> Goals: 30% M/WBE and 6% SDVOB

MAP = Maximum Amount Payable

TO: The Thruway Authority Board

DATE: September 12, 2022

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

SUBJECT: Authorizing the Execution of Agreement D214887 with Greenman-Pedersen Inc.

In accordance with Authority policy, Greenman-Pedersen Inc., has been designated to provide services through agreement D214887; as presented in Exhibit A. Board authorization is requested to execute an agreement with Greenman-Pedersen Inc. for Bridge Design Support Services in the Albany and Syracuse Divisions. Sufficient funding for agreement D214887 is provided for in the 2022- 2026 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF AGREEMENT D214887  
WITH GREENMAN-PEDERSEN INC.

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214887 with Greenman-Pedersen Inc., as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the



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

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

EXHIBIT A  
Agreements for Engineering Services

<b>D No./Agreement/ Designation Date</b>	<b>Firm/Address</b>	<b>MAP/ Contracts Program Item No.</b>	<b>Term of Agreement</b>	<b>M/WBE and SDVOB Firms/Goals</b>
D214887, Term Agreement for Bridge Design Support Services – Albany and Syracuse Divisions	Greenman- Pederson, Inc. 80 Wolf Road, Albany, New York 12205	\$5,500,000	Three years, with an option for the Authority to extend for 2 additional 1- year term	<ul style="list-style-type: none"> <li>• Foit-Albert Associates, Architecture, Engineering and Surveying PC (MBE)</li> <li>• Prudent Engineering, LLP (MBE)</li> <li>• Shumaker Consulting Engineering &amp; Land Surveying, DPC (WBE)</li> <li>• Tolman Engineering, Architecture &amp; Surveying, PLLC (SDVOB)</li> </ul> Goals: 30% M/WBE and 6% SDVOB

MAP = Maximum Amount Payable

TO: The Thruway Authority Board

DATE: September 12, 2022

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

SUBJECT: Authorizing the Execution of Agreement D214888 with Greenman-Pedersen Inc.

In accordance with Authority policy, Greenman-Pedersen Inc., has been designated to provide services through agreement D214888; as presented in Exhibit A. Board authorization is requested to execute an agreement with Greenman-Pedersen Inc. for Bridge Design Support Services in the Albany Division. Sufficient funding for agreement D214888 is provided for in the 2022- 2026 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF AGREEMENT D214888  
WITH GREENMAN-PEDERSEN INC.

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

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it

further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

Meeting No. 755

Item 18

Appendix R

EXHIBIT A  
Agreements for Engineering Services

<b>D No./Agreement/ Designation Date</b>	<b>Firm/Address</b>	<b>MAP/ Contracts Program Item No.</b>	<b>Term of Agreement</b>	<b>M/WBE and SDVOB Firms/Goals</b>
D214888, Term Agreement for Bridge Design Support Services – Albany Division, primarily Castleton Bridge	Greenman- Pederson, Inc. 80 Wolf Road, Albany, New York 12205	\$3,000,000	Three years, with an option for the Authority to extend for 2 additional 1- year term	<ul style="list-style-type: none"><li>• Foit-Albert Associates, Architecture, Engineering and Surveying PC (MBE)</li><li>• Arora and Associates, PC (MBE)</li><li>• Shumaker Consulting Engineering &amp; Land Surveying, DPC (WBE)</li><li>• Tolman Engineering, Architecture &amp; Surveying, PLLC (SDVOB)</li></ul> Goals: 30% M/WBE and 6% SDVOB

MAP = Maximum Amount Payable

TO: The Thruway Authority Board

DATE: September 12, 2022

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

SUBJECT: Authorizing the Execution of Agreement D214889 with CHA Consulting, Inc.

In accordance with Authority policy, CHA Consulting, Inc., has been designated to provide services through agreement D214889; as presented in Exhibit A. Board authorization is requested to execute an agreement with CHA Consulting, Inc. for Bridge Design Support Services in the Buffalo Division. Sufficient funding for agreement D214889 is provided for in the 2022- 2026 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF AGREEMENT D214889  
WITH CHA CONSULTING, INC.

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214889 with CHA Consulting, Inc., as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General

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

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

Meeting No. 755

Item 19

Appendix S

EXHIBIT A  
Agreements for Engineering Services

<b>D No./Agreement/ Designation Date</b>	<b>Firm/Address</b>	<b>MAP/ Contracts Program Item No.</b>	<b>Term of Agreement</b>	<b>M/WBE and SDVOB Firms/Goals</b>
D214889, Term Agreement for Bridge Design Support Services – Buffalo Division	CHA Consulting, Inc. III Winners Curcle, PO Box 5269, Albany, New York 12205	\$4,500,000	Three years, with an option for the Authority to extend for 2 additional 1- year term	<ul style="list-style-type: none"><li>• Ravi Engineering &amp; Land Surveying, PC (MBE)</li><li>• Tolman Engineering, Architecture &amp; Surveying, PLLC (SDVOB)</li><li>• Watts Architecture &amp; Engineering, DPC (MBE)</li></ul> Goals: 30% M/WBE and 6% SDVOB

MAP = Maximum Amount Payable



TO: The Thruway Authority Board

DATE: September 12, 2022

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

SUBJECT: Authorizing the Execution of Agreement D214890 with Stantec Consulting Services, Inc.

In accordance with Authority policy, Stantec Consulting Services, Inc., has been designated to provide services through agreement D214890; as presented in Exhibit A. Board authorization is requested to execute an agreement with Stantec Consulting Services, Inc. for Highway Design Support Services in the Albany, and Syracuse Divisions. Sufficient funding for agreement D214890 is provided for in the 2022- 2026 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF AGREEMENT D214890  
WITH STANTEC CONSULTING SERVICES, INC.

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214890 with Stantec Consulting Services, Inc., as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the

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

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

Meeting No. 755

Item 20

Appendix T

EXHIBIT A  
Agreements for Engineering Services

<b>D No./Agreement/ Designation Date</b>	<b>Firm/Address</b>	<b>MAP/ Contracts Program Item No.</b>	<b>Term of Agreement</b>	<b>M/WBE and SDVOB Firms/Goals</b>
D214890, Term Agreement for Highway Design Support Services – Albany and Syracuse Divisions	Stantec Consulting Services, Inc. 3 Columbia Circle, Suite 6, Albany, New York 12203	\$3,000,000	Three years, with an option for the Authority to extend for 2 additional 1- year term	<ul style="list-style-type: none"><li>• KC Engineering and Land Surveying, PC (MBE)</li><li>• Prudent Engineering LLP (MBE)</li><li>• Tolman Engineering, Architecture &amp; Surveying, PLLC (SDVOB)</li></ul> Goals: 30% M/WBE and 6% SDVOB

MAP = Maximum Amount Payable

TO: The Thruway Authority Board

DATE: September 12, 2022

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

SUBJECT: Authorizing the Execution of Agreement D214891 with Mott McDonald NY, Inc.

In accordance with Authority policy, Mott McDonald NY, Inc., has been designated to provide services through agreement D214891; as presented in Exhibit A. Board authorization is requested to execute an agreement with Mott McDonald NY, Inc. for Highway Design Support Services in the Buffalo Division. Sufficient funding for agreement D214891 is provided for in the 2022- 2026 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF AGREEMENT D214891  
WITH MOTT MCDONALD NY, INC.

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RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214891 with Mott McDonald NY, Inc., as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General

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

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

Meeting No. 755

Item 21

Appendix U

EXHIBIT A  
Agreements for Engineering Services

<b>D No./Agreement/ Designation Date</b>	<b>Firm/Address</b>	<b>MAP/ Contracts Program Item No.</b>	<b>Term of Agreement</b>	<b>M/WBE and SDVOB Firms/Goals</b>
D214891, Term Agreement for Highway Design Support Services – Buffalo Division	Mott Macdonald NY, Inc., 438 Main Street, Suite 300, Buffalo, NY 14202	\$3,500,000	Three years, with an option for the Authority to extend for 2 additional 1- year term	<ul style="list-style-type: none"><li>• Foit-Albert Associates Architecture, Engineering and Surveying, PC (MBE)</li><li>• Popli Architecture + Engineering &amp; LS, DPC (MEB)</li><li>• Tolman Engineering, PLLC (SDVOB)</li><li>• Watts Architecture and Engineering, PC (MBE)</li></ul> Goals: 30% M/WBE and 6% SDVOB

MAP = Maximum Amount Payable

TO: The Thruway Authority Board

DATE: September 12, 2022

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

SUBJECT: Authorizing the Execution of Agreement D214892 with Lockwood, Kessler & Bartlett, Inc.

In accordance with Authority policy, Lockwood, Kessler & Bartlett, Inc., has been designated to provide services through agreement D214892; as presented in Exhibit A. Board authorization is requested to execute an agreement with Lockwood, Kessler & Bartlett, Inc. for Highway Design Support Services in the New York Division. Sufficient funding for agreement D214892 is provided for in the 2022- 2026 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF AGREEMENT D214892  
WITH LOCKWOOD, KESSLER & BARTLETT, INC.

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214892 with Lockwood, Kessler & Bartlett, Inc., as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in

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

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director



Meeting No. 755

Item 22

Appendix V

EXHIBIT A  
Agreements for Engineering Services

<b>D No./Agreement/ Designation Date</b>	<b>Firm/Address</b>	<b>MAP/ Contracts Program Item No.</b>	<b>Term of Agreement</b>	<b>M/WBE and SDVOB Firms/Goals</b>
D214892, Term Agreement for Highway Design Support Services – NY Division (I-95) only)	Lockwood, Kessler & Bartlett, Inc., 351 Manville Road, Pleasantville, New York 10570	\$3,500,000	Three years, with an option for the Authority to extend for 2 additional 1- year term	<ul style="list-style-type: none"><li>• KC Engineering and Land Surveying, PC (MBE)</li><li>• W. Allen Engineering, PLLC (SDVOB)</li></ul> Goals: 30% M/WBE and 6% SDVOB

MAP = Maximum Amount Payable

DATE: September 12, 2022

FROM: Richard Lee, P.E.  
Chief Engineer

SUBJECT: Authorize the Executive Director to Issue a Waiver of Competition and Execute a Contract with VSL International, Inc. for work on The Governor Mario M. Cuomo Bridge

In accordance with the Authority's Procurement Contracts Policy, Board authorization is requested to execute a contract with VSL International, Inc. (VSL) to perform initial preparatory work on selected anchor pipes of the Main Spans of the Governor Mario M. Cuomo Bridge to support the installation of supplemental load paths (SLP). The contract term will be for three years, with an option for the Authority to extend for two additional one-year terms.

Addition of a supplemental load path system requires modifications to the stay cable anchorage system, which is a proprietary component to the overall stay cable systems.

The Authority is currently advancing development of construction documents to perform these modifications to a select number of anchor pipes.

Advancing the anchor head modifications through a contractor other than VSL is not a practical or reasonable alternative. VSL's previous role as supplier and installer of the original anchor heads and the criticality of maintaining the integrity of the existing anchor heads as the proposed modifications are advanced, makes the use of VSL the only practical alternative.

Contracting directly with VSL allows assumption of the risks for modifications to their existing components to be borne directly by VSL, as well as responsibility for the proper

integration and performance of the new work with the existing anchor system. This will ensure the integrity of the existing anchor heads and minimize the overall cost and risk to the Authority.

Advancing the work through a separate contract with VSL in advance of the overall Fabrication and Installation contract also offers potential schedule and cost benefits to the Authority as VSL's work can begin in advance of the procurement of an erection contractor to install the actual supplement load path. This will allow the overall work to be completed in a more timely and economical manner and provide greater flexibility to support ongoing bridge and Shared Use Path operations with minimized impact to the planned construction.

In accordance with Purchasing Policy 25-5-01, Section IV(B), Waiver of Competition, the Board may waive the use of the competitive procedure for procurement contracts where a condition exists that makes it impractical or is not in the Authority's best interest to seek competition due to the specialized nature of the goods or services required.

As it is in the Authority's best interest to contract with the same installer of the original anchor heads for this Supplemental Load Path work, it is recommended that the Board authorize the Executive Director to execute a contract with a maximum amount payable of \$5,000,000 and a term of three years with an option for the Authority to extend for two additional one-year terms.

There is sufficient funding in the 2022 Authority capital budget for these services.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZE THE EXECUTIVE DIRECTOR TO ISSUE A  
WAIVER OF COMPETITION AND EXECUTE A CONTRACT  
WITH VSL INTERNATIONAL, INC. FOR WORK ON THE  
GOVERNOR MARIO M. CUOMO BRIDGE

RESOLVED, that the competitive procedures required by the Thruway Authority Procurement Contracts Policy are waived and that the Executive Director or his designee be, and hereby is, authorized to execute an agreement with VSL International, Inc. to perform initial preparatory work on selected anchor pipes related to the installation of supplemental load paths for the Governor Mario M. Cuomo Bridge; and be it further

RESOLVED, that the agreement shall be for a term of three years, with the option for the Authority to extend for two additional one-year terms, and the maximum amount payable will be five million dollars (\$5,000,000); and be it further

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

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

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

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



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Chief Engineer

RECOMMENDATION APPROVED:



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Executive Director

Meeting No. 755  
Item 24  
Appendix X

TO: The Thruway Authority Board

Date: September 12, 2022

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

SUBJECT: Authorizing Additional Funding for TANE 22-22B/D214321A, Replacement of the North Avenue Bridge over I-95, New England Thruway at Milepost NE 5.76 in Westchester County

TANE 22-22B/D214321A, Replacement of the North Avenue Bridge over I-95, was let on August 24, 2022. The low bid of \$31,827,000 was submitted by J. D'Annunzio & Sons, Inc. As presented in the attached additional funds memorandum (Exhibit A), at this time, an additional \$5,827,000 is needed to complete the Replacement of the North Avenue Bridge over I-95. A majority of the cost increase was due to the continued rise in steel prices since the project budget was calculated. Other reasons for the cost increase include additional costs associated with bridge demolition and the remobilization of drilling equipment caused by the three construction stages, which was ultimately agreed upon.

The additional funding to complete the Replacement of the North Avenue Bridge over I-95, New England Thruway at Milepost NE 5.76 in Westchester County is available from project deferments and bid savings from the 2022 Contracts Program. Board authorization is requested to approve an additional \$5,827,000 for TANE 22-22B/D214321A, thus revising the contract value to \$31,827,000.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO.

AUTHORIZING ADDITIONAL FUNDING FOR TANE 22-22B/D214321A, REPLACEMENT OF THE NORTH AVENUE BRIDGE OVER I-95, NEW ENGLAND THRUWAY AT MILEPOST NE 5.76 IN WESTCHESTER COUNTY

RESOLVED, that an additional \$5,827,000 (revising the total contract value to \$31,827,000) for TANE 22-22B/D214321A, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TANE 22-22B/D214321A from project deferments and bid savings from the 2022 Contracts Program, and be it further

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

Meeting No. 755  
Item 24  
Appendix X

it further

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



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Chief Engineer

RECOMMENDATION APPROVED:



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Executive Director





KATHY HOCHUL  
Governor

JOANNE M. MAHONEY  
Chair

MATTHEW J. DRISCOLL  
Executive Director

## EXHIBIT A Memorandum

TO: Richard Lee, P.E.

DATE: 8/30/22

FROM: Al Mastroianni, P.E.

SUBJECT: TANE 22-22B  
D214321  
MP NE 5.76  
Replacement of the North Avenue  
Bridge over I-95, New England Thruway  
Bid Analysis

Letting Date: August 24, 2022 Advertising Period: 6 weeks + 2 week extension	Number of General Contractor Plan Buyers: 16 Bids received: 8
Engineer's Estimate: \$27,000,0000 Low Bid: \$31,827,000 Difference: +/- \$4,827,000 (+/- 18%)	Items in Contract: 235 Amendments Issued: 4
Items bid 25% or more over EE: 93 Items bid 75% or more below EE: 4	

The bid analysis for the low bidder is attached. There were 93 items that were bid 25% or more over the Engineer's Estimate (EE).

A majority of these items are lump sum or low quantity items, which are historically difficult to estimate. Out of the 93 items bid 25% or more over the EE, the low bidder had the highest unit price on only 10 of the items. The prices bid for the items 25% or more over the EE were checked and appear reasonable. The following items constitute the majority of the cost overrun:

**Item 202.120001 Removing Existing Superstructures:** This is a lump sum item, the estimated cost in the EE is \$542,500. The low bidder submitted a bid for \$3,200,000 which is a difference of +\$2,657,500 (+490%). Other bids for item ranged from \$950,000 to \$3,600,000 with an average bid of \$2,675,000. This item is being used for removal of the existing bridge deck and beams. This work will be difficult as it will need to be done in three separate stages (the left 1/3 of the bridge, right 1/3 of the bridge, and then the following year the middle 1/3 of the bridge). In addition to multiple stages, the work will be difficult as traffic must be maintained on North Avenue at all times, and there is limited space within the construction area to stage workers and equipment to safely remove the existing superstructure.

**Item 551.53 Furnishing Equipment for Installing Drilled Shafts:** This is a lump sum item, the estimated cost in the EE is \$325,000. The low bidder submitted a bid for \$1,500,729.65, which is a difference of +\$1,175,729.65 (362%). Other bids for this item ranged from \$900,000 to \$2,750,000 with an average bid of \$1,300,000. The price bid for this item is reasonable due to the number of stages involved in drilled shaft installations at the site (a total of 6 different locations/setups) as well as limited work space in/near the construction area.

**Item 564.510001 Structural Steel:** This item is measured by LB, with a total estimated quantity of 681,369 LB. The EE had an estimated cost of \$3/LB for this item. The low bidder had a cost of \$5.75





# Thruway Authority

KATHY HOCHUL  
Governor

JOANNE M. MAHONEY  
Chair

MATTHEW J. DRISCOLL  
Executive Director

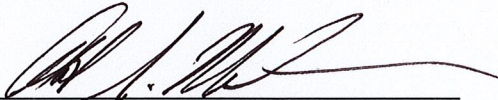
for this item, which resulted in a difference of +\$1,873,764.75 (+92%) from the EE. Other contractors submitted bids ranging from \$4.53/LB to \$9/LB for this item. The low bidder submitted the second lowest unit cost out of all bidders. Steel prices have been volatile recently, and difficult to estimate. In addition, this project involves multiple stages, a nonstandard framing plan (trapezoidal shape), and a limited space to setup cranes for installation. The price bid for this item seems reasonable.

These three items account for an increase of \$5,706,994.40 over the engineer's estimate (the low bidder is \$4,827,000.00 over the EE). The increase in cost of other items bid 25% or more over the EE are insignificant when compared to the total cost of the project.

There were only 4 items bid 75% or more below the EE. The prices bid for these items were checked and appear reasonable. The quantities of these items are not subject to change based on field conditions.

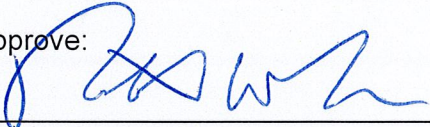
It is our opinion that the low bid prices are reasonable and represent the true cost of the work. We believe that the contract was competitively bid, and the Authority would not receive lower bids if the project was re-let. Therefore, we recommend that this contract be awarded to the low bidder, J. D'Annunzio & Sons, Inc. The additional \$4,827,000 will be expensed in 2023, 2024 and 2025, and will be accounted for in the 2023-2027 Capital Program.

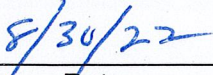
Upon receiving the necessary approvals, we will progress towards the award of this contract. Should you have any questions concerning this matter, please contact our Project Manager, Dan Livermore, or myself.

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

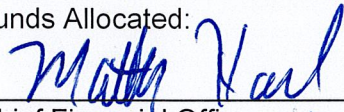

Reviewed by Director of Capital & Contracts Management  (Initials)

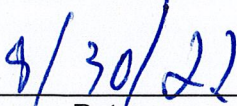
I Approve:

  
\_\_\_\_\_  
Richard Lee, Chief Engineer

  
\_\_\_\_\_  
Date

Funds Allocated:

  
\_\_\_\_\_  
Chief Financial Officer 

  
\_\_\_\_\_  
Date

Attachment





**NEW YORK**  
STATE OF  
OPPORTUNITY.

# Thruway Authority

**KATHY HOCHUL**  
Governor

**JOANNE M. MAHONEY**  
Chair

**MATTHEW J. DRISCOLL**  
Executive Director

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

Appendix Y

Meeting No.	755
Item	25
Appendix	Y

RECOMMENDATION:

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



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Executive Director

EXHIBIT I

THRUWAY PERSONAL SERVICE CONTRACTS UP TO \$300,000  
FOR THE PERIOD April 1, 2022 – June 30, 2022

DATE	AMOUNT	CONTRACTOR	Amendment No.	MWBE Goals	SDVOBE Goals	PURPOSE
4/26/22	\$35,000	Greenman-Pedersen Inc. Contract #C010670	N/A	0	0	Short term contract for property acquisition.
4/26/22	\$0	Paymentech, LLC Contract #C010435	2	0	0	Credit card processing for E-ZPass Transactions
5/3/22	\$0	Quadrant Laboratories LLC Contract #C010663	1	0	0	COVID-19 Testing
5/9/22	\$219,000	Miller Advertising P.O. #1277449	N/A	30%	0	Media Buying Services – Increase E-ZPass usage
5/26/22	\$43,000	Vertosoft LLC Contract #C010668	N/A	0	0	Visual Lease Accounting Software
5/26/22	\$30,750	Visix, Inc. PO # 1278359	N/A	0	0	GMMCB Kiosk Conversion
6/23/22	\$0	TTEC Government Solutions Contract #C010591	N/A	N/A	N/A	Novation Agreement of the Faneuil contract (E-ZPass Customer Service Center)
3/29/22*	\$204,000	Verizon Contract #C010643	N/A	0	0	Verizon GPS Program
3/29/22*	\$0	Department of Ag & Markets C010581	2	0	0	Amendment to agreement to operation Lock E-13 Visitors Center and Taste NY Market

\*This was not listed on the 1<sup>st</sup> Quarter Report to the Board.