



MINUTES

NEW YORK STATE THRUWAY AUTHORITY

BOARD MEETING NO. 650

MAY 4, 2006

Minutes of a meeting of the New York State Thruway Authority, held in the Board room at Administrative Headquarters, 200 Southern Boulevard, Albany, New York, 12209.

The meeting began at 11:00 a.m.

John L. Buono, Chairman
John R. Riedman, Board Member
Nancy E. Carey Cassidy, Board Member

Constituting all of the members of the Thruway Authority Board.

In addition, there were present the following staff personnel:

Michael R. Fleischer, Executive Director
John Bryan, Chief Financial Officer
Sharon O'Connor, General Counsel
William Rinaldi, Director, Albany Division
Joanne Riddett, Director, Information Technology
Christopher Waite, Director, Engineering Services and Chief Engineer
Jill Warner, Secretary and Board Administrator
Major George Beach, Troop T
Daniel Gilbert, Chief of Staff
Wendy Allen, Deputy Chief of Staff
Thomas Fitzgerald, Acting Director, Administrative Services
Donald Bell, Director, Operations and Maintenance
Carmella Mantello, Director of Canal Corporation
Lawrence Frame, Deputy Director of Canal Corporation
Richard Garrabrant, Director, Syracuse Division

William Leslie, Director, Buffalo Division
Ramesh Mehta, Director, New York Division
Jennifer Meicht, Deputy Director of Canal Corporation
Cathy Sheridan, Canal Capital Program
Richard Harris, Deputy Director of Canal Community Development and Land Management
John Brizzell, Transportation Federation Liaison
Mark Andersen, Director, Office of Travelers' Services
Fred Rudin, Director, Bureau of Purchasing
Patrick Hoehn, Deputy Division Director, Syracuse Division
Also in Attendance:
Christopher Fahey, Director of Special Projects for Congressman Brian Higgins
Joe O'Rourke, Channel 2, Buffalo
Scott Brown, Reporter, Channel 2, Buffalo
Aaron Saykin, Reporter, Channel 2, Buffalo
Bob Mancuso, Channel 2, Buffalo
George Richert, Reporter, Channel 4, Buffalo
David Hutchinson, Channel 4, Buffalo
Paul Butler, General Public
Brian Donovan, General Public

Chairman Buono noted that he, Mr. Riedman, Ms. Carey Cassidy had received and reviewed the Agenda submitted for consideration at this meeting and were prepared to act on each of the items.

The Chairman called the meeting to order.

Ms. Warner recorded the minutes as contained herein.

Public notice of the meeting had been given, Ms. Warner said.

Executive Session

On the motion of Mr. Riedman, seconded by Ms. Carey Cassidy, the Board voted to convene to Executive Session to discuss pending litigation, real property matters and the following Agenda Item:



Item 2 by Mr. Bell (Appendix B)

Authorizing Two Ten Year Contracts With Lehigh Gas Corporation For The Operation And Maintenance Of A Total of 25 Fuel Service Facilities And Authorizing The Executive Director To Take Necessary Actions With Regard To The Existing Fuel Service Contracts

Public Session Resumed

Ms. Carey Cassidy moved that the meeting return to Public Session. Mr. Riedman seconded the motion.

Item 1 by Ms. Warner (Appendix A)

Minutes of Meeting No. 649

On the motion of Mr. Riedman, seconded by Ms. Carey Cassidy, without any objections, the Board approved the minutes of Meeting No. 649 held on March 23, 2006, which were made available to the Board Members as part of the Agenda.

Item 2 by Mr. Bell (Appendix B)

Authorizing Two Ten Year Contracts With Lehigh Gas Corporation For The Operation And Maintenance Of A Total of 25 Fuel Service Facilities And Authorizing The Executive Director To Take Necessary Actions With Regard To The Existing Fuel Service Contracts

After full discussion, on the motion of Ms. Carey Cassidy, seconded by Mr. Riedman, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5508

AUTHORIZING TWO TEN YEAR CONTRACTS WITH LEHIGH GAS CORPORATION FOR THE OPERATION AND MAINTENANCE OF A TOTAL OF 25 FUEL SERVICE FACILITIES AND AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE NECESSARY ACTIONS WITH REGARD TO THE EXISTING FUEL SERVICE CONTRACTS.

RESOLVED, that two ten year contracts with Lehigh Gas Corporation for Groups 1-4 and 5-8 from June 1, 2006 to May 31, 2016 and from October 1, 2006 to September 30, 2016 be and the same hereby are authorized, on the terms



Item 2 by Mr. Bell - EXECUTIVE SESSION - (Appendix B)
Authorizing Two Ten Year Contracts With Lehigh Gas Corporation For The
Operation And Maintenance Of A Total of 25 Fuel Service Facilities And Authorizing
The Executive Director To Take Necessary Actions With Regard To The Existing Fuel
Service Contracts (Continued)

and conditions contained herein and on such other terms as may be in the best interests of the Authority consistent with this item, and be it further

RESOLVED, that the Executive Director or his designee be, and he hereby is, authorized to execute such contracts and take all actions necessary to implement such contracts on behalf 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 such contracts, manage and administer such contracts, amend the provisions of such contracts consistent with the terms of this item and other Board authorizations and suspend or terminate such contracts in the best interests of the Authority and be it further

RESOLVED, that the Executive Director be and he hereby is authorized to take any action necessary to continue the provision of fuel services at the fuel facilities currently operated by Exxon-Mobil, including but not limited to (a) approval of an extension of the contract with Exxon-Mobil or (b) approval of a subcontract or assignment of the Exxon-Mobil contract with an extension, both with such adjustments to the existing terms as may be necessary to ensure continued services to the traveling public; and be it further

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



Item 3 by Mr. Bryan (Appendix C)
Financial Reports – January, February and March 2006

Mr. Bryan reported that net toll revenue in the first quarter of 2006 was \$25.9 million over the level collected in the same period of 2005, representing an increase of 27.4 percent (\$14.9 million of this increase was from passenger vehicles and \$11.0 million was from commercial vehicles). Toll collections significantly exceeded our expectations, as the winter season ended much milder than anticipated.

He provided an updated chart that indicates what portion of toll collections are due to the toll adjustment and increased traffic. Approximately 24 percent of toll collections in the first quarter were due to the toll adjustment and about 4 percent due to increased traffic on the highway. In dollar terms, it's estimated that \$23.3 million of the \$125.2 million in collections was generated by the toll adjustment and about \$5 million from increased traffic.

Higher fuel prices have led to a reduction in gasoline deliveries to service areas and have caused a decline in revenues to the Authority. Despite flat growth in restaurant sales, restaurant revenues were down due to a contractual decrease in the rental rate at HMS Host food facilities (started in October 2005). As a result, for the quarter of 2006 total concession revenue is about 10.7 percent or \$278,000 below the level collected in the first quarter in 2005.

Sundry and other revenue collections continue to significantly exceed last year's levels – up by over \$1.7 million or 36.2 percent for the first quarter. Most of this increase is due to due to higher interest earnings received on Authority investments.

Accounting for toll, concession, sundry and other revenue collections, total revenue collected in the quarter of 2006 reached over \$128 million which was \$27.3 million or 26.9 percent above the level collected in the first quarter of 2005. Compared to the 2006 budget estimate for the first quarter, total operating revenue are nearly \$5 million over the estimate – again principally due to warmer and storm free weather.

On the expense side, in the first quarter of 2006 total operating expenses were \$1.9 million or 2.1 percent above expenses for the same period in 2005. Nondiscretionary expenses, such as growing health insurance premiums, pension costs and high fuel and energy costs are the real drivers in the Authority budget from year-to-year.



Item 3 by Mr. Bryan (Appendix C)

Financial Reports – January, February and March 2006 (Continued)

As with revenues, better than expected weather conditions in the first quarter allowed the Authority to save significant dollars on snow removal expenses. As a result, total operating expenses came in about \$5.8 million below the budget estimate.

Following discussion regarding the financial condition of the Authority, on the motion of Ms. Carey Cassidy, seconded by Mr. Riedman, without any objections, the Board accepted the Financial Reports for the months of January, February and March 2006.

Item 4 by Mr. Bryan (Appendix D)

Annual Report of 2005 Procurement Contracts

After full discussion, on the motion of Mr. Riedman, seconded by Ms. Carey Cassidy, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5509

ANNUAL REPORT OF 2005 PROCUREMENT CONTRACTS

RESOLVED, that the Schedules of 2005 Procurement Contracts (Exhibits A1, A2 and A3), as submitted, are hereby accepted, and be it further

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

RESOLVED, that the Bond Sale Report for Calendar Year 2005 (Exhibit B), as submitted, is hereby accepted, and be it further

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



Item 4 by Mr. Bryan (Appendix D)
Annual Report of 2005 Procurement Contracts (Continued)

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

Item 5 by Mr. Fleischer (Appendix E)
Report to Thruway Authority Board for Personal Service Contracts Up to \$150,000 for the Period January 1, 2006 through March 31, 2006

Mr. Fleischer submitted as Exhibit I a listing containing Personal Service Contracts up to \$150,000 for the period of January 1, 2006 through March 31, 2006.

After full discussion, on the motion of Mr. Riedman, seconded by Ms. Carey Cassidy, without any objections, the Board accepted Mr. Fleischer's report.

Item 6 by Ms. Riddett (Appendix F)
Authorizing the Executive Director or His Designee to Execute a Contract with Keane, Inc., to Improve the Infrastructure Inventory and Inspection System (IIS) and Integrate It with Bridge Inspection and Overhead Sign Structure System

Board Member Carey Cassidy left the Board Room to attend to another matter and no vote was recorded for her on this Item.

After full discussion, on the motion of Mr. Riedman, seconded by Chairman Buono, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5510

AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO EXECUTE A CONTRACT WITH KEANE, INC., TO IMPROVE THE INFRASTRUCTURE INVENTORY AND INSPECTION SYSTEM (IIS) AND PROCESSING OF RELATED BRIDGE INSPECTION AND SIGN INSPECTION DATA

RESOLVED, that the Executive Director, or his designee, be, and hereby is, authorized to execute a contract with Keane, Inc., to provide expertise and assistance to improve the ability of IIS to manage sign, and bridge inspection and data, upon such terms and conditions consistent with this item, and upon such other terms and



Item 6 by Ms. Riddett (Appendix F)

Authorizing the Executive Director or His Designee to Execute a Contract with Keane, Inc., to Improve the Infrastructure Inventory and Inspection System (IIS) and Integrate It with Bridge Inspection and Overhead Sign Structure System (Continued)

conditions as the Executive Director 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 contract, manage and administer the contract, amend the provisions of the contract consistent with other Board authorizations and suspend or terminate the contract in the best interest of the Authority, and be it further

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

Item 7 by Waite (Appendix G)

Amended and Restated 2006 Contracts Program Authorizations

Board Member Carey Cassidy requested this Item be amended so there is no increase in the current financial limits regarding the authorization to award contracts where the bids received exceed the engineer's estimates. In addition, she requested that the Contract Program Item submitted to the Canal Corporation Board at Meeting No. CC-139 be amended similarly.

After full discussion, on the motion of Ms. Carey Cassidy, seconded by Mr. Riedman, without any objections, the Board adopted the following amended resolution:

RESOLUTION NO. 5511
AMENDED AND RESTATED 2006
CONTRACTS PROGRAM AUTHORIZATIONS

RESOLVED, that the amendments to Board Resolution No. 5457 included herein are hereby approved, and effective immediately this Amended and Restated Resolution shall constitute the 2006 Contracts Program



Item 7 by Waite (Appendix G)

Amended and Restated 2006 Contracts Program Authorizations (Continued)

authorization, and be it further

RESOLVED, that the 2006 Contracts Program for Highway, Bridge, Intelligent Transportation Systems, Architectural and Economic Development Projects be, and the same hereby is, approved, and be it further

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

- A.** to prepare and approve Official Proposals, Plans and Specifications, Engineer's/Architect's Estimates of Cost and Contract Documents for such projects as are tabulated in the 2006 CONTRACTS PROGRAM;
- B.** to hold the respective Engineer's/ Architect's Estimate of Cost for such contracts confidential;
- C.** to advertise for receipt of bids for those projects which are tabulated in the 2006 CONTRACTS PROGRAM; (1) when the final Engineer's/Architect's Estimates of Cost are equal to or less than the project's budget allocations,, and (2) when the final Engineer's/Architect's Estimate of Cost does not exceed the project's budget allocation by more than \$75,000 for projects with budget allocations of up to \$500,000 or by more than 15 percent for projects with budget allocations that exceed \$500,000 provided confirmation is received from the Department of Finance and Accounts that sufficient funds are available in the 2006 Contracts Program, or (3) when the final Engineer's/Architect's Estimate of Cost exceeds the project's budget allocation beyond the limits in (2), provided that he receives prior approval of the Executive Director and confirmation from the Department of Finance and Accounts that sufficient funds are available in the 2006 Contracts Program;
- D.** to award any such contract to the lowest responsible bidder when it is deemed to be an acceptable bid, and:
 - 1.** the low bid is equal to or less than the Engineer's/Architect's Estimate; or
 - 2.** the low bid exceeds the Engineer's/Architects



Item 7 by Waite (Appendix G)

Amended and Restated 2006 Contracts Program Authorizations (Continued)

Estimate by up to \$75,000 on contracts up to and including \$500,000, or 15 percent on contracts over \$500,000 and confirmation is received from the Department of Finance and Accounts that, by virtue of bid savings and/or deferrals, sufficient funds are available for the additional difference between the Estimate amount and the low bid; or

3. the low bid exceeds the Engineer's/Architects Estimate by up to \$100,000 on contracts up to and including \$500,000, or 20 percent on contracts over \$500,000, provided that he receives prior approval of the Executive Director and confirmation from the Department of Finance and Accounts that, by virtue of bid savings and/or deferrals, sufficient funds are available for the additional difference between the Estimate amount and the low bid; or

4. the low bid exceed the limits of (1), (2) or (3) provided he obtains Board authorization for the necessary additional funds;

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

F. to approve contingent or extra work on such construction contracts, when necessary, provided the additional cost shall not exceed the bid price by more than \$150,000, for contracts bid up to and including \$1,000,000, or 15 percent for contracts bid in excess of \$1,000,000 and to approve additional extra work, beyond that authorized above with the prior approval of the Executive Director, provided the final cost of the respective contracts shall not exceed the total bid price by more than \$200,000, for contracts bid up to and including \$1,000,000, or 20 percent for contracts bid in excess of \$1,000,000; and to adjust and determine disputed contract claims in accordance with contract documents;

G. to enter into, extend, and modify project specific



Item 7 by Waite (Appendix G)

Amended and Restated 2006 Contracts Program Authorizations (Continued)

agreements or multi-project agreements with localities, utility companies, railroads, and/or others as may be necessary in order to facilitate the administration, award, progress and completion of such contracts;

H. to acquire and grant such property interests (fee title, easements, etc.), in accordance with the provisions of the Authority's Real Property Management Policy, as may be necessary for implementation of the 2006 CONTRACTS PROGRAM; provided that the total amount of acquisitions or the amount of grants for any one project shall not exceed \$150,000 each without Board authorization;

I. to execute engineering agreements approved by the Board, or where otherwise authorized by the Executive Director, including amendments thereto, for services relating to projects included in the 2006 CONTRACTS PROGRAM;

J. to approve a supplemental agreement, for expenditure of additional funds in furtherance of a Board approved engineering agreement, including any Board approved supplemental agreement, provided that the amount of such additional funds does not exceed \$150,000 in the case of agreements up to and including \$3,000,000, or 5 percent, in the case of agreements of over \$3,000,000;

K. to approve, with the prior approval of the Executive Director, a supplemental agreement for expenditure of additional funds in furtherance of a Board approved engineering agreement, including any Board approved supplemental agreement, provided that the amount of such additional funds does not exceed 25 percent including any additional funds authorized in paragraph J; and provided further, when such supplemental agreement includes additional new design or construction inspection tasks, such approval must be based upon the following: it is determined that the assignment of the additional tasks is in the best interests of the Authority when considering the proximity of the additional tasks to the ongoing tasks, or it is determined to be in the best interests of the Authority to expedite the additional tasks through such assignment, or it is



Item 7 by Waite (Appendix G)

Amended and Restated 2006 Contracts Program Authorizations (Continued)

determined that significant savings to the Authority will result through the assignment of the additional tasks;

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

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

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

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

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

A. upon award of such contracts to return such funds budgeted for such projects in the respective 2006 Budgets



Item 7 by Waite (Appendix G)

Amended and Restated 2006 Contracts Program Authorizations (Continued)

which are otherwise not required for expenditure during 2006 to its proper fund in accordance with acceptable budgeting and accounting procedure;

B. to monitor total cash expenditures for the 2006 CONTRACTS PROGRAM to insure that they do not exceed \$309,716,835 during the 2006 Fiscal Year;

C. to return bid checks submitted for such contracts to unsuccessful bidders; and to make necessary adjustments in the respective 2006 approved Budgets as required by implementation of any part of the Resolution relative to the 2006 CONTRACTS PROGRAM; and be it further

RESOLVED, that the Executive Director or Chief Engineer be, and they hereby are, authorized to execute such contracts, including any amendments thereto, provided such amendments do not increase the authorized contract value beyond that which is otherwise authorized; and be it further

RESOLVED, that the provisions of this resolution shall be deemed to supercede all other inconsistent Authority policies and procedures to the extent necessary to implement the approved Contracts Program and for no other purposes, and be it further

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



Item 8 by Mr. Waite (Appendix H)

Authorizing Negotiation and Execution of Engineering Agreement D213536 with Dewberry-Goodkind, Inc. for Construction Inspection Services Relative to TANE 06-21, New England Thruway, Concrete Pavement Restoration and Repair to Four Bridges, M.P. NE 0.0 to M.P. NE 6.8, in the New York Division and Allocating Funds Therefor

After full discussion, on the motion of Mr. Riedman, seconded by Ms. Carey Cassidy, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5512

AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213536 WITH DEWBERRY-GOODKIND, INC. FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TANE 06-21 NEW ENGLAND THRUWAY, CONCRETE PAVEMENT RESTORATION AND REPAIR TO FOUR BRIDGES, M.P. NE 0.0 TO NE 6.8, IN THE NEW YORK DIVISION AND ALLOCATING FUNDS THEREFOR

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213536 with Dewberry-Goodkind, Inc., 15 East 26th Street, 15th Floor, New York, New York 10010 for construction inspection services relative to TANE 06-21, New England Thruway, Concrete Pavement Restoration and Repair to Four Bridges, M.P. NE 0.0 to M.P. NE 6.8. in the New York Division, provided that the Maximum Amount Payable does not exceed the \$3,000,000, of which \$1,969,000 is currently provided through the 2006 Contracts Program (Items H877.1, B419.1, B420.1, B426.1, B910.1 AND I82.1), and be it further

RESOLVED, that an additional \$1,031,000 be allocated to this agreement through savings identified from Item B905.1, Tappan Zee Bridge Partial Superstructure Replacement, of the 2006 Contracts Program, and be it further



Item 8 by Mr. Waite (Appendix H)

Authorizing Negotiation and Execution of Engineering Agreement D213536 with Dewberry-Goodkind, Inc. for Construction Inspection Services Relative to TANE 06-21, New England Thruway, Concrete Pavement Restoration and Repair to Four Bridges, M.P. NE 0.0 to M.P. NE 6.8, in the New York Division and Allocating Funds Therefor (Continued)

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 agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this item and in accordance with the 2006 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interests of the Authority, and be it further

RESOLVED, that the information relating to this agreement be included in the Chief Engineers' Quarterly Report to the Board on Contracts Program activities, such information to include the exact Maximum Amount Payable and date of execution of the agreement and be it further

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

Item 9 by Mr. Waite (Appendix I)

Authorizing Negotiation and Execution of Engineering Agreement D213573 with LiRo Engineers, Inc. for Construction Inspection Services Relative to TAB 06-19, Highway Resurfacing and Safety Improvements, M.P. 455.2 to M.P. 467.0 in the Buffalo Division

After full discussion, on the motion of Ms. Carey Cassidy, seconded by Mr. Riedman, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5513
**AUTHORIZING NEGOTIATION AND EXECUTION OF
ENGINEERING AGREEMENT D213573 WITH LIRO
ENGINEERS, INC. FOR CONSTRUCTION INSPECTION
SERVICES RELATIVE TO TAB 06-19, HIGHWAY**



Item 9 by Mr. Waite (Appendix I)

Authorizing Negotiation and Execution of Engineering Agreement D213573 with LiRo Engineers, Inc. for Construction Inspection Services Relative to TAB 06-19, Highway Resurfacing and Safety Improvements, M.P. 455.2 to M.P. 467.0 in the Buffalo Division (Continued)

**RESURFACING AND SAFETY IMPROVEMENTS, M.P.
455.2 to M.P. 467.0, IN THE BUFFALO DIVISION**

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213573 with LiRo Engineers, Inc., 690 Delaware Avenue, Buffalo, New York 14209 for construction inspection services relative to TAB 06-19, Highway Resurfacing and Safety Improvements, M.P. 455.2 to M.P. 476.0, in the Buffalo Division, provided that the Maximum Amount payable does not exceed the \$870,000 which is currently provided through the 2006 Contracts Program (H895.1), 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 agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this item and in accordance with the 2006 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interests of the Authority, and be it further

RESOLVED, that the information relating to this agreement be included in the Chief Engineers' Quarterly Report to the Board on Contracts Program activities, such information to include the exact Maximum Amount Payable and date of execution of the agreement and be it further

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



Item 10 by Mr. Waite (Appendix J)

Authorizing Negotiation and Execution of Engineering Agreement D213564 with Foit-Albert Associates Architecture Engineering and Surveying, P.C. for Construction Inspection Services Relative to TAB 06-10, Select Highway Resurfacing and Full Depth Pavement Repairs at Various Locations in Buffalo Division

After full discussion, on the motion of Ms. Carey Cassidy, seconded by Mr. Riedman, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5514

AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213564 WITH FOIT-ALBERT ASSOCIATES ARCHITECTURE ENGINEERING AND SURVEYING, P.C. FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TAB 06-10, SELECT HIGHWAY RESURFACING AND FULL DEPTH PAVEMENT REPAIRS AT VARIOUS LOCATIONS IN BUFFALO DIVISION

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213564 with Foit-Albert Associates Architecture Engineering and Surveying, P.C., 438 Main Street, Suite 700, Buffalo, New York 14202 for construction inspection services relative to TAB 06-10, Select Highway Resurfacing and Full Depth Pavement Repairs at Various Locations in Buffalo Division, provided that the Maximum Amount Payable does not exceed the \$200,000 which is currently provided through the 2006 Contracts Program (H1060.5), 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 2006 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interests of the Authority, and be it further



Item 10 by Mr. Waite (Appendix J)

Authorizing Negotiation and Execution of Engineering Agreement D213564 with Foit-Albert Associates Architecture Engineering and Surveying, P.C. for Construction Inspection Services Relative to TAB 06-10, Select Highway Resurfacing and Full Depth Pavement Repairs at Various Locations in Buffalo Division (Continued)

RESOLVED, that the information relating to this agreement be included in the Chief Engineer's Quarterly Report to the Board on Contracts Program activities, such information to include the exact Maximum Amount Payable and date of execution of the agreement and be it further

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

Item 11 by Mr. Waite (Appendix K)

Authorizing Negotiation and Execution of Engineering Agreement D213569 with Clough, Harbour & Associates, LLP for Bridge Valuation Services Thruway-wide

After full discussion, on the motion of Mr. Riedman, seconded by Ms. Carey Cassidy, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5515

**AUTHORIZING NEGOTIATION AND EXECUTION OF
ENGINEERING AGREEMENT D213569 WITH
CLOUGH, HARBOUR & ASSOCIATES, LLP FOR
BRIDGE VALUATION SERVICES THRUWAY-WIDE**

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213569 with Clough, Harbour & Associates, LLP, III Winners Circle, Albany, New York 12205 for bridge valuation services Thruway-wide, provided that the maximum Amount Payable does not exceed the \$1,000,000 which is currently provided through the 2006 Contracts Program (BS898.1), 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 agreement,



Item 11 by Mr. Waite (Appendix K)

Authorizing Negotiation and Execution of Engineering Agreement D213569 with Clough, Harbour & Associates, LLP for Bridge Valuation Services Thruway-wide (Continued)

manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this item and in accordance with the 2006 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interests of the Authority, and be it further

RESOLVED, that the information relating to this agreement be included in the Chief Engineers' Quarterly Report to the Board on Contracts Program activities, such information to include the exact Maximum Amount Payable and date of execution of the agreement and be it further

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

Adjournment

There being no further business to come before the Board, on the motion of Mr. Riedman, seconded by Ms. Carey Cassidy, without any objections, the meeting was adjourned.

Jill B. Warner
Secretary

