



MINUTES

NEW YORK STATE THRUWAY AUTHORITY

BOARD MEETING NO. 651

JULY 6, 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 11:45 a.m.

John L. Buono, Chairman
John R. Riedman, Board Member
Nancy E. Carey Cassidy, Board Member
Erin M. Crotty, Board Member
Jeffrey D. Williams, 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

Michael Flynn, Director, Audit & Management Services
Kevin Allen, Unit Supervisor, Audit & Management Services
Charles Randall, Chief Assistant Counsel
Stephen Wiech, Director, Office of Accounting and Disbursements
Michael Sikule, Director, Office of Investments and Asset Management
Dorraine Steele, Director, Office of Fiscal Audit and Budget
Lawrence Frame, Deputy Director of Canal Corporation
Richard Garrabrant, Director, Syracuse Division
William Leslie, Director, Buffalo Division
Ramesh Mehta, Director, New York Division
Cathy Sheridan, Canal Capital Program
David Boshart, Land Management, Canal Corporation
Richard Harris, Deputy Director of Canal Community Development and Land Management
John Brizzell, Transportation Federation Liaison
Mark Andersen, Director, Office of Travelers' Services
Captain Christopher Fiore, Troop T
Stephanie Baker, Legal Intern
Steven Ford, Legal Intern
James Girvin, Legal Intern
Also in Attendance:
Cathy Woodruff, Reporter, Albany Times Union
Doron Bar-Levav, Esq., Bond Counsel, Harris Beach, PLLC
Stanley R. Kramer, Bond Counsel, Hawkins Delafield & Wood, LLP
Steve Kantor, Senior Vice President, First Southwest Company
Brad Marr, First Southwest Company
Howard Levine, Esq., Whiteman, Osterman & Hanna
Assistant Attorney General Edward Lindner, Esq.

Chairman Buono noted that he, Mr. Riedman, Ms. Carey Cassidy, Ms. Crotty and Mr. Williams 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 Ms. Crotty, seconded by Ms. Carey Cassidy, the Board voted to convene to Executive Session to discuss pending litigation, real property valuations and matters leading to the appointment of a corporation,

Public Session Resumed

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

Item 1 by Ms. Warner (Appendix A) **Minutes of Meeting No. 650**

On the motion of Mr. Riedman, seconded by Ms. Carey Cassidy, without any objections, the Board approved the minutes of Meeting No. 650 held on May 4, 2006, which were made available to the Board Members as part of the Agenda.

Item 2 by Mr. Bryan (Appendix B) **Financial Reports – April and May 2006**

Mr. Bryan reported to the Board that net toll revenue in the first five months of 2006 was \$40.7 million over the level collected in the same period of 2005, representing an increase of 23.5 percent (\$23.6 million of this increase was from passenger vehicles and \$17.1 million was from commercial vehicles).

Higher fuel prices and their affect on demand have led to a 3.3 percent reduction in gasoline deliveries to Authority service areas and have caused a decline in gasoline revenues due to the Authority. Despite small growth in restaurant sales, restaurant revenues were down due to a contractual decrease in the rental rate at the HMS Host food facilities that started in October 2005. As a result, for the first five months of 2006 total concession revenue is about 9.3 percent or \$450,000 below the level collected in the first five months of 2005.

Sundry and other revenue collections continue to significantly exceed last year's levels – up by nearly \$3 million or 38.5 percent. Most of this increase is due to higher interest earnings received on investments, higher rental income and higher business/commercial tag fees.



Item 2 by Mr. Bryan (Appendix B)
Financial Reports – April and May 2006 (Continued)

Accounting for toll, concession, sundry and other revenue collections, total operating revenue in the first five months of 2006 reached over \$228 million which was \$43.2 million or 23.3 percent above the level collected in the first five months of 2005. Compared to the 2006 budget estimate for the first five months, total operating revenues are about \$600,000 or 0.3 percent over estimate for the period. Due to an abundance of poor weather and the road closures resulting from the recent flooding, it is expected that this small revenue surplus has already eroded away. The Authority will be watching revenues closely as it continues through the summer months. There has been strong growth in commercial toll collections, but very low or negative growth in passenger toll collections. Hopefully passenger traffic will pick up as the weather improves and people begin making more discretionary trips and vacations.

On the operating expense side, for the first five months of 2006 total operating expenses were \$5.6 million or 3.8 percent above expenses for the same period in 2006.

Better than expected winter weather conditions in the early part of the year and ongoing cost containment efforts have allowed the Authority to restrict expense growth. As a result, total operating expenses in the first five months of the fiscal year were about \$5.8 million below budget estimate.

The inflation for a number of the Authority's key inputs is quite high and the Authority doesn't anticipate any reductions in these rates through 2006. If these inflationary pressures continue to grow, this budget surplus may erode a bit, so the Authority continues to be cautiously optimistic about meeting or being below the budget target for the year.

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



Item 3 by Mr. Bryan (Appendix C)

Approving Revisions to Procurement Contracts Policy 25-5-01

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. 5516
**APPROVING REVISIONS TO PROCUREMENT
CONTRACTS POLICY 25-5-01**

RESOLVED, that the revisions to the Authority's Procurement Contracts Policy (25-5-01) identified in Exhibit A attached hereto (material to be deleted is struck through, while material to be added is underscored) be, and the same hereby are, approved; and be it further

RESOLVED, that the revised Policy shall take effect immediately; and be it further

RESOLVED, that the Executive Director be, and he hereby is, authorized to, in consultation with the Chief Financial Officer and the Chief of Staff, develop or modify operational and/or administrative procedures as necessary to implement the revised Policy ; and be it further

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

Item 4 by Mr. Bryan (Appendix D)

Review and Approval of the Authority's Annual Investment Report

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

RESOLUTION NO. 5517
**REVIEW AND APPROVAL OF THE AUTHORITY'S
ANNUAL INVESTMENT REPORT**

RESOLVED, that the Authority's Investment Report including the revised policy statement FINANCIAL INVESTMENTS, the annual report by the independent



Item 4 by Mr. Bryan (Appendix D)

Review and Approval of the Authority's Annual Investment Report (Continued)

auditors, and the listing of investment income has been reviewed and is hereby approved, and be it further

RESOLVED, that the policy provides that certain investment transactions shall not require a written contract and it is neither practical nor a regular business practice to do so, and be it further

RESOLVED, that for the purposes of the policy, such investment transactions shall only include Treasury Securities, Agency Securities and Commercial Paper, and be it further

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

Item 5 by Bryan (Appendix E)

Investment Transactions

Following discussion regarding the purchase of authorized securities, repurchase agreements and certificates of deposit on the motion of Mr. Riedman, seconded by Ms. Carey Cassidy, without any objections, the Board accepted the Authority's quarterly report on Investment Transactions.

Item 6 by Mr. Bryan (Appendix F)

Approving Revised Policy 25-6-01 – Thruway Personal Property Disposal Policy and Designating the Authority's Chief Financial Officer as the Contracting Officer for the Disposal of Personal Property

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. 5518
**APPROVING REVISED POLICY 25-6-01 – THRUWAY
PERSONAL PROPERTY DISPOSAL POLICY AND
DESIGNATING THE AUTHORITY'S CHIEF
FINANCIAL OFFICER AS THE CONTRACTING**



Item 6 by Mr. Bryan (Appendix F)

Approving Revised Policy 25-6-01 – Thruway Personal Property Disposal Policy and Designating the Authority’s Chief Financial Officer as the Contracting Officer for the Disposal of Personal Property (Continued)

OFFICER FOR THE DISPOSAL OF PERSONAL PROPERTY

RESOLVED, that the revised Thruway Personal Property Disposal Policy 25-6-01, attached hereto as Exhibit A be, and the same hereby is, approved, replacing all prior personal property policies; and be it further

RESOLVED, that the Chief Financial Officer be, and he hereby is, designated the Contracting Officer required by the Public Authorities Accountability Act of 2005, and that he will be responsible for the Authority’s compliance with, and enforcement of, the Policy as it applies to the disposal of personal property; and be it further

RESOLVED, that the revised Policy shall take effect immediately; and be it further

RESOLVED, that the Executive Director be, and he hereby is directed to, in consultation with the Chief Financial Officer and the Chief of Staff, develop and/or modify operational policies and/or administrative procedures as necessary to incorporate and be consistent with the revised Policy; and be it further

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

Item 7 by Ms. O’Conor (Appendix G)

Amending the Authority Inventions Policy 25-1-10 to Modify Certain Provisions Thereof and to Include an Authorization for the Executive Director to Administer the Policy, Including the Granting of Waivers Where Appropriate

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



Item 7 by Ms. O’Conor (Appendix G)

Amending the Authority Inventions Policy 25-1-10 to Modify Certain Provisions Thereof and to Include an Authorization for the Executive Director to Administer the Policy, Including the Granting of Waivers Where Appropriate (Continued)

RESOLUTION NO. 5519

AMENDING THE AUTHORITY INVENTIONS POLICY 25-1-10 TO MODIFY CERTAIN PROVISIONS THEREOF AND TO INCLUDE AN AUTHORIZATION FOR THE EXECUTIVE DIRECTOR TO ADMINISTER THE POLICY, INCLUDING THE GRANTING OF WAIVERS WHERE APPROPRIATE

RESOLVED, that an amended Authority Inventions Policy 25-1-10 as shown in Exhibit A, be and hereby is approved; and be it further

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

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

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

Item 8 by Ms. O’Conor (Appendix H)

Approving and Adopting the Seventh Supplemental Bond Resolution Authorizing the Issuance of Second General Highway and Bridge Trust Fund Bonds, Series 2006A , Approving the Form of and Authorizing the Preparation, Execution and Delivery of the Preliminary Official Statement and Authorizing the Execution and Distribution of the Final Official Statement, Approving the Form of the Bond Purchase Agreement for the Series 2006A Bonds, Authorizing the Execution of a Continuing Disclosure Agreement and Any Other Necessary Documents, Agreements, Consents or Certificates, and Authorizing the Selection of Senior Managers and Additional Underwriters and Other Appropriate Parties in Connection With the Sale of the Series 2006A Bonds



Item 8 by Ms. O'Connor (Appendix H)

Second General Highway and Bridge Trust Fund Bonds, Series 2006A (Continued)

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. 5520

APPROVING THE FORM OF AND ADOPTING THE SEVENTH SUPPLEMENTAL BOND RESOLUTION AUTHORIZING THE ISSUANCE OF SECOND GENERAL HIGHWAY AND BRIDGE TRUST FUND BONDS, SERIES 2006A, APPROVING THE FORM OF AND AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF THE PRELIMINARY OFFICIAL STATEMENT, AUTHORIZING THE EXECUTION AND DISTRIBUTION OF THE FINAL OFFICIAL STATEMENT, APPROVING THE FORM OF THE BOND PURCHASE AGREEMENT FOR THE SERIES 2006A BONDS, AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT AND ANY OTHER NECESSARY DOCUMENTS, AGREEMENTS, CONSENTS, OR CERTIFICATES, AND AUTHORIZING THE SELECTION OF SENIOR MANAGER AND ADDITIONAL UNDERWRITERS AND OTHER APPROPRIATE PARTIES IN CONNECTION WITH THE SALE OF THE SERIES 2006A BONDS

RESOLVED, that Chapter 56 of the Laws of 1993 ("Chapter 56"), as amended authorizes the Authority, solely upon request of the Director of the Budget, to issue up to \$16.5 billion of Dedicated Highway and Bridge Trust Fund Bonds (exclusive of reserve funds and certain financing costs and bonds issued for refunding purposes) to finance or refinance the cost of various state highway, bridge and multi-modal projects as more fully described in Section 89-b of the State Finance Law, and be it further

RESOLVED, that Chapter 56, as amended authorizes the Commissioner of Transportation to enter into a Dedicated Highway and Bridge Trust Fund Cooperative



Item 8 by Ms. O'Connor (Appendix H)

Second General Highway and Bridge Trust Fund Bonds, Series 2006A (Continued)

Agreement on behalf of the State, with the Authority (the "Cooperative Agreement") to provide for the financing of dedicated highway, bridge and multi-modal trust fund projects (the "Projects") pursuant to Section 10-e of the Highway Law, and be it further

RESOLVED, that on May 19, 1994 the Board adopted a General Highway and Bridge Trust Fund Bond Resolution (as amended, the "First General Trust Fund Resolution") which authorizes the bonds of the Authority, designated as "General Highway and Bridge Trust Fund Bonds" (the "First General Trust Fund Bonds") to finance all or a portion of the cost of the Projects, and to refinance bonds previously issued for such purpose, and be it further

RESOLVED, that on May 19, 1994, November 15, 1995 and June 27, 2000, respectively, the Board approved the execution of a Cooperative Agreement and amended and restated such Cooperative Agreement to provide for the financing of Projects pursuant to Sections 10-e of the Highway Law and 385 of the Public Authorities Law, and be it further

RESOLVED, that on February 27, 2003, at Meeting No, 616, pursuant to Resolution No. 5284, the Board adopted a Second General Highway and Bridge Trust Fund Bond Resolution (as amended, the "Second General Trust Fund Resolution") which authorized the bonds of the Authority, designated as "Second General Highway and Bridge Trust Fund Bonds" (hereinafter the "Second General Trust Fund Bonds") for the same purposes as bonds authorized pursuant to the First General Trust Fund Resolution, with the exception that the Second General Trust Fund Bonds shall not be secured by a debt service reserve fund, and be it further

RESOLVED, that Sections 201, 202, 203 and 204 of the Second General Trust Fund Resolution require that the



Item 8 by Ms. O’Conor (Appendix H)

Second General Highway and Bridge Trust Fund Bonds, Series 2006A (Continued)

issuance of Second General Highway and Bridge Trust Fund 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 902 of the Second General Trust Fund 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 there has been prepared and submitted to the Board a form of Seventh Supplemental Bond Resolution to the Second General Highway and Bridge Trust Fund Resolution Authorizing the Issuance of Second General Highway and Bridge Trust Fund Bonds, Series 2006A (the "Supplemental Resolution"), supplementing the Second General Trust Fund Resolution, to authorize the issuance of such Second General Highway and Bridge Trust Fund Bonds, Series 2006A in one or more series or sub-series to finance the cost of certain Projects, and be it further

RESOLVED, that upon the request of the Director of the Budget, the Authority intends to issue Second General Highway and Bridge Trust Fund Bonds, Series 2006A (the "Series 2006A Bonds") in one or more series or sub-series in order to finance the costs of various Projects in an amount not to exceed \$375,000,000 and be it further

RESOLVED, that the Authority intends to sell, solely upon the request of the Director of the Budget, pursuant to the Second General Trust Fund Resolution and the Supplemental Resolution its Series 2006A Bonds, to UBS Securities LLC, as Senior Manager and Citigroup Global Markets Inc., Bear Stearns & Co. Inc. and Merrill Lynch & Co. as Co-Senior Managers pursuant to a Bond Purchase Agreement between the Authority and UBS Securities LLC, the "Bond Purchase Agreement", the form of which Bond



Item 8 by Ms. O’Conor (Appendix H)

Second General Highway and Bridge Trust Fund Bonds, Series 2006A (Continued)

Purchase Agreement has been set before the Board, and be it further

RESOLVED, that the Board approves and adopts the form of the Supplemental Resolution as submitted at this meeting and made a part of this resolution as though set forth in full herein, and authorizes an Authorized Officer to approve and execute such changes to the Supplemental Resolution through a certificate or certificates of determination as may be deemed necessary or convenient to effectuate the purposes thereof; and be it further

RESOLVED, that in connection with the sale of the Series 2006A Bonds, the Board approves the form of the Preliminary Official Statement as submitted to this meeting and made a part of this resolution as though set forth in full herein, and authorizes an Authorized Officer to approve and execute such changes as may be deemed necessary or convenient to effectuate the purposes thereof, and be it further

RESOLVED, that the Board authorizes the distribution of the Preliminary Official Statement relating to the Series 2006A Bonds by an Authorized Officer, in substantially the form submitted to this meeting with such changes, insertions and omissions to the Preliminary Official Statement as may be approved by such Authorized Officer, said delivery being conclusive evidence of such approval, and any amendments or supplements thereto which may be necessary or desirable, and be it further

RESOLVED, that the Board authorizes an Authorized Officer, to confirm that any Preliminary Official Statement of the Authority relating to the Series 2006A Bonds for the financing of new money projects is deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, except for certain omissions relating to certain State information and information not required



Item 8 by Ms. O’Conor (Appendix H)

Second General Highway and Bridge Trust Fund Bonds, Series 2006A (Continued)

under said Rule to be included therein, and be it further

RESOLVED, that the Board authorizes an Authorized Officer, to execute and deliver, on behalf of the Authority, one or more final Official Statements relating to the Series 2006A Bonds with such changes, insertions and omissions to the applicable Preliminary Official Statement as may be approved by such Authorized Officer said execution being conclusive evidence of such approval, and any amendments or supplements thereto which may be necessary or desirable. Any material changes from the Preliminary Official Statement (excluding information provided by or certified as to accuracy by the State of New York) approved pursuant to this resolution to be made in a final Official Statement relating to the Series 2006A Bonds issued to finance new projects which are not made pursuant to matters which are authorized to be determined by an Authorized Officer pursuant to this resolution, the Supplemental Resolution or a Certificate of Determination (as defined in the Second General Trust Fund Resolution) shall be distributed to members of the Authority for comments, if any, from such members prior to final printing. After execution, such Authorized Officer or their designee, is hereby authorized to deliver to the purchasers of the Series 2006A Bonds an executed copy or copies of such final Official Statement and any amendments or supplements thereto, and be it further

RESOLVED, that the Board approves the form of the Bond Purchase Agreement submitted to this meeting and made a part of this resolution as though set forth in full herein, in the manner set forth in Section 301 of the Supplemental Resolution and authorizes an Authorized Officer to execute and deliver the Bond Purchase Agreement and to approve and execute such changes to such Bond Purchase Agreement as may be deemed necessary or convenient to effectuate the purposes thereof, and be it further



Item 8 by Ms. O’Conor (Appendix H)

Second General Highway and Bridge Trust Fund Bonds, Series 2006A (Continued)

RESOLVED, that an Authorized Officer, is authorized to execute one or more additional agreements including, but not limited to consents or other documents and to appoint any other agents or appropriate parties, necessary or desirable to facilitate the sale of the bonds issued by the Authority , such other agreements, documents, certificates and agents, or other parties determined by such Authorized Officer to be necessary or desirable to implement the transactions described in this resolution and to be consistent with existing statutes, Authority guidelines, policies, procedures and other existing obligations and covenants, and be it further

RESOLVED, that the Board approves, confirms and ratifies the selection of Banc of America Securities LLC, Loop Capital Markets, LLC, Morgan Stanley, Popular Securities, RBC Capital Markets and Siebert Brandford Shank & Co., LLC as co-managers for the sale of the Series 2006A Bonds, and be it further

RESOLVED, that an Authorized Officer is authorized to execute upon such terms and conditions as are determined to be in the best interests of the Authority and are consistent with the provisions of the Supplemental Resolution: (i) a Continuing Disclosure Agreement and (ii) any additional agreements, consents, certificates or other documents necessary to facilitate the sale of the Series 2006A Bonds and including the execution of only necessary amendments to the Cooperative Agreement or any other agreement with the State in relation to the program and to do and cause to be done any and all acts and things necessary or convenient for carrying out the transactions contemplated by this resolution, and be it further

RESOLVED, that this Resolution be incorporated in the minutes of the meeting



Item 9 by Ms. O’Conor (Appendix I)

Approving and Adopting the State Personal Income Tax Revenue Bonds (Transportation) Fifth Supplemental Resolution Authorizing an Amount Not to Exceed \$475,000,000 of State Personal Income Tax Revenue Bonds (Transportation) Series 2006A, Approving the Form of and Authorizing the Distribution and Use of the Preliminary Official Statement and Authorizing Execution and Distribution of the Final Official Statement, Approving the Form of the Bond Purchase Agreement Confirming and Ratifying the Selection of Additional Underwriters and Authorizing the Execution of Any Other Documents Necessary for the Sale of State Personal Income Tax Revenue Bonds (Transportation), Series 2006A

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. 5521

APPROVING AND ADOPTING THE STATE PERSONAL INCOME TAX REVENUE BONDS (TRANSPORTATION) FIFTH SUPPLEMENTAL RESOLUTION AUTHORIZING AN AMOUNT NOT TO EXCEED \$475,000,000 OF STATE PERSONAL INCOME TAX REVENUE BONDS (TRANSPORTATION) SERIES 2006A, APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION AND USE OF THE PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DISTRIBUTION OF THE FINAL OFFICIAL STATEMENT, APPROVING THE FORM OF THE BOND PURCHASE AGREEMENT CONFIRMING AND RATIFYING THE SELECTION OF ADDITIONAL UNDERWRITERS AND AUTHORIZING THE EXECUTION OF ANY OTHER DOCUMENTS NECESSARY FOR THE SALE OF STATE PERSONAL INCOME TAX REVENUE BONDS (TRANSPORTATION), SERIES 2006A

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 Budget, to issue State Personal Income Tax Revenue Bonds (exclusive of certain costs) to finance the cost of



Item 9 by Ms. O’Conor (Appendix I)
State Personal Income Tax Revenue Bonds (Transportation) Series 2006A
(Continued)

various projects which meet the statutory definition of Authorized Purposes, and be it further

RESOLVED that Chapter 383 authorized the Director of the Division of the Budget of the State of New York to enter into 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 Division 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, 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 (the Authority on May 1, 2002). 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 2006A Bonds will be so added to such master list, and be it further



Item 9 by Ms. O’Conor (Appendix I)

**State Personal Income Tax Revenue Bonds (Transportation) Series 2006A
(Continued)**

RESOLVED, that upon the request of the Director of the Budget, the Authority intends to issue in one or more series or sub-series up to \$475,000,000 of State Personal Income Tax Bonds (Transportation) Series 2006A (the “Series 2006A Bonds”), in order to finance the costs of various Authorized Purposes, and to refund bonds previously issued Prior Bonds, defined as prior PIT Bonds issued by the Authority, provided that present value savings would result therefrom satisfactory to the Authority and the State, and be it further

RESOLVED, that upon the request of the Director of the Budget, the Authority intends to issue such Series 2006A Bonds, in one or more series or sub-series in order to finance the costs of Authorized Purposes in an amount not to exceed \$375,000,000. and, if the foregoing conditions are satisfied, to refund, in an amount not to exceed \$100,000,000 of State Personal Income Tax Revenue Bonds (Transportation) Prior Bonds, and be it further

RESOLVED, that the refunding bonds authorized hereby may be issued simultaneously with or subsequent to the issuance of Series 2006A Bonds that are issued to finance the costs of Authorized Purposes, but not later than December 31, 2006, 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 and Annex A together hereinafter referred to as the “Resolution”) which authorizes the bonds of the Authority, designated as State Personal Income Tax Revenue Bonds (Transportation) to finance all or a portion of the cost of projects which meet the statutory definition of



Item 9 by Ms. O’Conor (Appendix I)
State Personal Income Tax Revenue Bonds (Transportation) Series 2006A
(Continued)

Authorized Purposes, and to refinance Prior Bonds, and be it further

RESOLVED, that Sections 201 and A-201, A-202, A-204 of the 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 the Section A-902 of the 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 there has been prepared and submitted to the Board a form of the Fifth Supplemental Bond Resolution Authorizing An Amount Not To Exceed \$475,000,000 of State Personal Income Tax Revenue Bonds (Transportation), Series 2006A (the “Fifth Supplemental Resolution”) amending and supplementing the Resolution, and be it further

RESOLVED, that the Authority intends to sell, solely upon the request of the Director of the Budget, pursuant to the Resolution and the Fifth Supplemental Resolution in one or more series or sub-series its State Personal Income Tax Revenue Bonds (Transportation) Series 2006A to Citigroup and such other underwriters that may be selected, pursuant to a Bond Purchase Agreement between the Authority and Citigroup, as Representative of the Underwriters (the “Bond Purchase Agreement”), the form of which Bond Purchase Agreement has been set before the Board, and be it further

RESOLVED, that in connection with the sale of the Series 2006A Bonds, the Board approves the form of Preliminary Official Statement for its Series 2006A Bonds



Item 9 by Ms. O’Conor (Appendix I)

**State Personal Income Tax Revenue Bonds (Transportation) Series 2006A
(Continued)**

as submitted to this meeting and made a part of this resolution as though set forth in full herein, and authorizes an Authorized Officer to approve and execute such changes as may be deemed necessary or convenient to effectuate the purposes thereof, and be it further

RESOLVED, that the Board authorizes the distribution and use of the Preliminary Official Statement relating to the Series 2006A Bonds by an Authorized Officer in substantially the form submitted to this meeting with such changes, insertions and omissions to the Preliminary Official Statement as may be approved by such Authorized Officer said delivery being conclusive evidence of such approval, and any amendments or supplements thereto which may be necessary or desirable, and be it further

RESOLVED, that the Board authorizes an Authorized Officer, to confirm that the Preliminary Official Statement relating to the issuance of Series 2006A Bonds to finance the costs of Authorized Purposes or for the issuance of refunding bonds is deemed final for purposes of Rule 15c2-12, 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 to execute and deliver, on behalf of the Authority, one or more final Official Statements relating to the Series 2006A Bonds with such changes, insertions and omissions to the Preliminary Official Statement as may be approved by such Authorized Officer said execution being conclusive evidence of such approval, and any amendments or supplements thereto which may be necessary or desirable. Any material changes from the form of the Preliminary Official Statement (excluding information provided by or certified as to accuracy by the State of New York) approved pursuant to this Resolution to be made in a



Item 9 by Ms. O’Conor (Appendix I)

**State Personal Income Tax Revenue Bonds (Transportation) Series 2006A
(Continued)**

final Official Statement relating to the Series 2006A Bonds issued to finance Authorized Purposes or for refunding bonds, which are not made pursuant to matters which are authorized to be determined by an Authorized Officer pursuant to this Resolution, the Fifth Supplemental Resolution or a Certificate of Determination (as defined in the Resolution) shall be distributed to members of the Authority for comments, if any, from such members prior to final printing. After execution, such Authorized Officer or their designee is hereby authorized to deliver to the purchasers of the Series 2006A Bonds an executed copy or copies of such Official Statement and any amendments or supplements thereto, and be it further

RESOLVED, that the Board approves the form of the Bond Purchase Agreement submitted at this meeting and made a part of this resolution as though set forth herein, in the manner set forth in Section 301 of the Fifth Supplemental Resolution and authorizes an Authorized Officer of the Authority to execute and deliver one or more of such Bond Purchase Agreements approve and execute such changes to any such Bond Purchase Agreement as may be deemed necessary or convenient to effectuate the purposes thereof, and be it further

RESOLVED, that an Authorized Officer is authorized to execute any additional agreements or other documents necessary to facilitate the sale of the State Personal Income Tax Revenue Bonds (Transportation) Series 2006A: (i) one or more schedules or supplements to the Master Continuing Disclosure Agreement and (ii) any additional agreements, including an escrow deposit agreement in connection with any refunding of any Prior Bonds, or other documents necessary to facilitate the sale of the Series 2006A Bonds and to do and cause to be done any and all acts necessary or proper for carrying out the transactions contemplated by this Resolution, and be it further



Item 9 by Ms. O’Conor (Appendix I)
State Personal Income Tax Revenue Bonds (Transportation) Series 2006A
(Continued)

RESOLVED, that the Board confirms and ratifies the selection of First Albany Capital, Inc., Merrill Lynch, Pierce, Fenner & Smith, Incorporated and Morgan Stanley & Co. Incorporated as Co-Senior Managers and A. G. Edwards & Sons, Inc., Lehman Brothers Inc., Jackson Securities, LLC, Raymond James & Associates, Inc., JPMorgan Securities Inc. and Roosevelt & Cross Incorporated, as Co-Managers for this transaction, and be it further

RESOLVED, that this Resolution be incorporated in the minutes of this meeting

Item 10 by Mr. Bell (Appendix J)
Authorizing the Executive Director to Enter Into a Pilot Program Agreement with
News 12 Networks for the Airing of Authority Closed-Circuit Television Images

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

RESOLUTION NO. 5522

**AUTHORIZING THE EXECUTIVE DIRECTOR TO
ENTER INTO A PILOT PROGRAM AGREEMENT
WITH NEWS 12 NETWORKS FOR THE AIRING OF
AUTHORITY CLOSED-CIRCUIT TELEVISION
IMAGES**

RESOLVED, that the Executive Director be, and hereby is, authorized to execute a pilot program agreement (“Agreement”) with News 12 Networks pursuant to which News 12 Networks will be allowed to air Authority closed-circuit television images depicting traffic conditions and in return News 12 will air Authority and E-ZPass promotional materials such as spots, billboards and logos, and be it further



Item 10 by Mr. Bell (Appendix J)

Authorizing the Executive Director to Enter Into a Pilot Program Agreement with News 12 Networks for the Airing of Authority Closed-Circuit Television Images (Continued)

RESOLVED, that such Agreement shall be for a term of two (2) years, shall contain all provisions required by the Authority's Closed-Circuit Television Executive Instruction (2006-5), and shall be on such other terms and conditions as the Executive Director, in consultation with the General Counsel, determines to be in the best interests of the Authority, and be it further

RESOLVED, that the Executive Director, or his designee, is authorized to exercise all powers reserved to the Authority under the provisions of the Agreement, manage and administer the Agreement, amend portions 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

Item 11 by Mr. Bell (Appendix K)

Authorizing the Executive Director to Execute an Agreement with Traffic.com, Inc. for Implementation of a Traffic Information Monitoring Enterprise System (TIMES)

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. 5523

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH TRAFFIC.COM, INC. FOR IMPLEMENTATION OF A TRAFFIC INFORMATION MONITORING ENTERPRISE SYSTEM (TIMES)



Item 11 by Mr. Bell (Appendix K)

Authorizing the Executive Director to Execute an Agreement with Traffic.com, Inc. for Implementation of a Traffic Information Monitoring Enterprise System (TIMES) (Continued)

RESOLVED, that the Executive Director be, and hereby is, authorized to execute an agreement with Traffic.com, Inc. ("Contract") for implementation of a Traffic Information Monitoring Enterprise System (TIMES); and be it further

RESOLVED, that such Contract shall be for a term of ten years, with the option to renew for two additional five-year terms, shall require that all services be provided at no cost to the Authority, and shall be on such other terms and conditions as the Executive Director, in consultation with the General Counsel and Director of Maintenance and Operations, 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 portions of the Contract consistent with the terms of this item and other Board authorizations and suspend or terminate the Contract in the best interests of the Authority; and be it further

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

Item 12 by Mr. Bell (Appendix L)

Authorization of a Multi-Year Agreement Between the New York State Thruway Authority and TRANSCOM, Inc. for TRANSMIT Operation and Maintenance in the New York Division for the Years 2004-2006

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



Item 12 by Mr. Bell (Appendix L)

Authorization of a Multi-Year Agreement Between the New York State Thruway Authority and TRANSCOM, Inc. for TRANSMIT Operation and Maintenance in the New York Division for the Years 2004-2006 (Continued)

RESOLUTION NO. 5524

**AUTHORIZATION OF A MULTI-YEAR AGREEMENT
BETWEEN THE NEW YORK STATE THRUWAY
AUTHORITY AND TRANSCOM, INC. FOR TRANSMIT
OPERATION AND MAINTENANCE IN NEW YORK
DIVISION FOR YEARS 2004-2006**

RESOLVED, that the Executive Director be, and hereby is, authorized to execute a multi-year agreement to TRANSMIT for operation and maintenance of fifteen sites in New York Division for the years 2004-2006, and be it further

RESOLVED, that the Executive Director be and hereby is, authorized to waive competition, and be it further

RESOLVED, that the Chief Financial Officer be, and hereby is, authorized to charge expenditures for services rendered under such an agreement to the Operating Budget, and be it further

RESOLVED, that the sum of \$325,000 be and hereby is appropriated from the 2004, 2005 and 2006 Budgets, 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



Item 13 by Mr. Bell (Appendix M)

Authorizing a Ten Year Contract with Wilson Farms, Inc. to Operate and Maintain 4 Fuel Service Facilities

This Item was withdrawn from consideration at this time.

Item 14 by Mr. Bell as Amended (Appendix N)

Authorizing an Agreement with HMS Host Family Restaurants, Inc. for the Operation of Twelve (12) Thruway Travel Plaza Food Service Facilities and the Authority's Administrative Headquarters Cafeteria; and an Agreement with Delaware North Companies Travel and Hospitality Services for the Operation of Four (4) Thruway Travel Plaza Food Service Facilities

Mr. Bell informed the Board that as of the meeting date, contract negotiations with Delaware North had not been finalized. As such, the Board agreed on the motion of Ms. Carey Cassidy, seconded by Ms. Crotty, to vote on an amended Item to authorize an Agreement with HMS Host Family Restaurants, Inc.

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

RESOLUTION NO. 5525

AUTHORIZING AN AGREEMENT WITH HMS HOST FAMILY RESTAURANTS, INC. FOR THE OPERATION OF TWELVE (12) THRUWAY TRAVEL PLAZA FOOD SERVICE FACILITIES AND THE AUTHORITY'S ADMINISTRATIVE HEADQUARTERS CAFETERIA

RESOLVED, that an agreement with HMS Host Family Restaurants, Inc. for the operation of the Travel Plaza Food Service Facilities located at Ardsley, Sloatsburg, Plattekill, Ulster, New Baltimore, Pattersonville, Indian Castle, Iroquois, Oneida, Chittenango, Junius Ponds and Clifton Springs, and the Authority's Administrative Headquarters Cafeteria, from October 1, 2006 through December 31, 2019, on the terms and conditions contained herein and on such other terms as may be in the best interests of the Authority consistent with this item, be, and the same hereby is, authorized, and be it further,



Item 14 by Mr. Bell (Appendix N)

Authorizing an Agreement with HMS Host Family Restaurants, Inc. for the Operation of Twelve (12) Thruway Travel Plaza Food Service Facilities and the Authority's Administrative Headquarters Cafeteria (Continued)

RESOLVED, that the provisions of the Thruway Authority's Invention Policy be, and the same hereby are, waived for the agreement herein authorized, and be it further

RESOLVED, that the Executive Director, or his designee, be, and he hereby is, authorized to execute such agreement and take all actions necessary to implement such agreement 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 agreement, manage and administer such agreement, amend the provisions of such agreement consistent with the terms of this item and other Board authorizations and suspend or terminate such 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

Item 15 by Ms. Riddett (Appendix O)

Authorizing the Executive Director or Designee to Execute Agreements with the American Association of State Highway Transportation Officials (AASHTO) for the Licensing and Implementation of Transportation Management Software and Virtis Systems and with the New York State Department of Transportation (NYSDOT) to Jointly Implement and Share Costs of Implementing AASHTO's Transportation Management Software

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



Item 15 by Ms. Riddett (Appendix O)

Authorizing the Executive Director or Designee to Execute Agreements with the American Association of State Highway Transportation Officials (AASHTO) for the Licensing and Implementation of Transportation Management Software and Virtis Systems and with the New York State Department of Transportation (NYSDOT) to Jointly Implement and Share Costs of Implementing AASHTO's Transportation Management Software (Continued)

RESOLUTION NO. 5526

AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO EXECUTE AGREEMENTS WITH THE AMERICAN ASSOCIATION OF STATE HIGHWAY TRANSPORTATION OFFICIALS (AASHTO) BASED ON AASHTO'S STANDARD AGREEMENTS FOR THE LICENSING AND IMPLEMENTATION OF TRANSPORTATION MANAGEMENT SOFTWARE AND VIRTIS SYSTEMS AND WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) TO JOINTLY IMPLEMENT AND SHARE COSTS OF IMPLEMENTING AASHTO'S TRANSPORTATION MANAGEMENT SOFTWARE

RESOLVED, that the Executive Director or his designee be, and hereby is, authorized to execute agreements with the American Association of State Highway and Transportation Officials (ASSHTO) 444 North Capitol Street N.W., Suite 249, Washington, D.C. 20001 for a maximum amount payable of \$ 3,600,000 for the purpose of licensing and implementation of Trns•port and the licensing of Virtis software, and be it further

RESOLVED, that the Executive Director or designee be, and hereby is, authorized to execute an agreement with the New York State Department of Transportation (NYSDOT) to jointly implement and share implementation costs for Trns•port, and be it further

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



Item 15 by Ms. Riddett (Appendix O)

Authorizing the Executive Director or Designee to Execute Agreements with the American Association of State Highway Transportation Officials (AASHTO) for the Licensing and Implementation of Transportation Management Software and Virtis Systems and with the New York State Department of Transportation (NYSDOT) to Jointly Implement and Share Costs of Implementing AASHTO's Transportation Management Software (Continued)

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

RESOLVED, that sufficient funds will be provided in the 2006 and future Reserve Maintenance Fund Budgets, 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 these agreements, manage and administer these agreements, amend the provisions of these agreements consistent with the terms of this item and other Board authorizations and suspend or terminate these agreements in the best interests of the Authority, and be it further

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

Item 16 by Mr. Waite (Appendix P)

Authorizing an Amendment to the 2006 Contracts Program for Eight Projects (Six Contracts)

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

RESOLUTION NO. 5527
**AUTHORIZING AN AMENDMENT TO THE 2006
CONTRACTS PROGRAM FOR EIGHT PROJECTS (SIX
CONTRACTS)**



Item 16 by Mr. Waite (Appendix P)

Authorizing an Amendment to the 2006 Contracts Program for Eight Projects (Six Contracts) (Continued)

RESOLVED, that the amendments to the 2006 Contracts Program, which include the following: accelerate the letting for Items H308.1 and B520.2, I-87/I-84 Interchange Reconstruction, Contract 3, from January 2010 to November 2006; accelerate the letting for Item H881.1, TANY 06-43, Pavement Resurfacing from South of Exit 15 to South of Exit 16 (M.P. 29.4 to M.P. 38.7), from April 2007 to July 2006; accelerate the letting for Item H884.1, TAA 06-41, Pavement Resurfacing from East of Exit 27 to East of Exit 28 (M.P. 170.0 to M.P. 180.0), from May 2007 to July 2006; accelerate the letting for Items H844.1 and H869.1, TAS 06-42, Pavement Resurfacing from West of Exit 30 to West of Exit 31 (M.P. 220.0 to M.P. 233.5), from September 2006 to July 2006; add Item H1076.1, Installation of Median Guiderail at Various Locations in Albany Divisions, to the 2006 Contracts Program; and add Item A830.1, Installation of a new air condition system for the HQ computer room, to the 2006 Contracts Program, be approved, and the same hereby is, and be it further

RESOLVED, that an additional sum of \$23,640,000 be, and the same hereby is, allocated toward the eight projects (six contracts) from savings in the 2006 Contracts Program that is associated with Item B905.1, Tappan Zee Bridge Partial Superstructure Replacement, 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 contracts, manage and administer the contracts, amend the provisions of the contracts consistent with the terms of this item and other Board authorizations and suspend or terminate the contracts in the best interests of the Authority, and be it further

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



Item 17 by Mr. Waite (Appendix Q)

Withdrawing Board Resolution No. 5513, and Authorizing the 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. 438.5 to M.P. 451.1 and M.P. 455.2 to 467.0, in the Buffalo Division, and Allocating Funds Therefor

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

RESOLUTION NO. 5528

WITHDRAWING BOARD RESOLUTION NO. 5513, AND AUTHORIZING THE 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. 438.5 TO M.P. 451.1 and M.P. 455.2 to M.P. 467.0, IN THE BUFFALO DIVISION, AND ALLOCATING ADDITIONAL FUNDS THEREFOR

RESOLVED, that Resolution No. 5513, which authorized the Chief Engineer to negotiate and execute 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, be withdrawn, and be it further

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. 438.5 to M.P. 451.1 and M.P. 455.2 to M.P. 467.0, in the Buffalo Division, provided that the Maximum Amount payable does not exceed \$1,300,000, of which \$870,000 is provided through the 2006 Contracts Program (H895.1), and be it further



Item 17 by Mr. Waite (Appendix Q)

Withdrawing Board Resolution No. 5513, and Authorizing the 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. 438.5 to M.P. 451.1 and M.P. 455.2 to 467.0, in the Buffalo Division, and Allocating Funds Therefor (Continued)

RESOLVED, that an additional \$430,000 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

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 No. 5511 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 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 18 by Mr. Waite (Appendix R)

Authorizing Negotiation and Execution of Engineering Agreement D213595 with Barton & Loguidice, P.C. for Construction Inspection Services Relative to TAS 06-42, Pavement Resurfacing from M.P. 220.0 to M.P. 233.5 and TAS 06-38, Pavement Resurfacing from M.P. 233.5 to M.P. 240.9 in the Syracuse Division and Allocating Funds Therefor

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



Item 18 by Mr. Waite (Appendix R)

Authorizing Negotiation and Execution of Engineering Agreement D213595 with Barton & Loguidice, P.C. for Construction Inspection Services Relative to TAS 06-42, Pavement Resurfacing from M.P. 220.0 to M.P. 233.5 and TAS 06-38, Pavement Resurfacing from M.P. 233.5 to M.P. 240.9 in the Syracuse Division and Allocating Funds Therefor (Continued)

RESOLUTION NO. 5529

AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213595 WITH BARTON & LOGUIDICE, P.C. FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TAS 06-42, PAVEMENT RESURFACING FROM M.P. 220.0 TO M.P. 233.5 AND TAS 06-38, PAVEMENT RESURFACING FROM M.P. 233.5 TO M.P. 240.9 IN THE SYRACUSE DIVISION AND ALLOCATING FUNDS THEREFOR

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213595 with Barton & Loguidice, P.C., 290 Elwood Davis Road, Syracuse, NY 13220 for construction inspection services relative to TAS 06-42, Pavement Resurfacing from M.P. 220.0 to M.P. 233.5 and TAS 06-38, Pavement Resurfacing from M.P. 233.5 to M.P. 240.9 in the Syracuse Division, provided that the Maximum Amount Payable does not exceed the \$1,250,000 of which \$1,150,000 is provided through the 2006 Contracts Program (H844.1, H869.1 and H887.1), and be it further

RESOLVED, that an additional \$100,000 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

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



Item 18 by Mr. Waite (Appendix R)

Authorizing Negotiation and Execution of Engineering Agreement D213595 with Barton & Loguidice, P.C. for Construction Inspection Services Relative to TAS 06-42, Pavement Resurfacing from M.P. 220.0 to M.P. 233.5 and TAS 06-38, Pavement Resurfacing from M.P. 233.5 to M.P. 240.9 in the Syracuse Division and Allocating Funds Therefor (Continued)

Program Resolution No. 5511 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 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 19 by Mr. Waite (Appendix S)

Authorizing Negotiation and Execution of Engineering Agreement D213596 with Nussbaumer & Clark, Inc. for Construction Inspection Services Relative to TAB 06-29, Blasdell Exit 56 Ramp Reconstruction and Ramp Bridge Replacement at MP 432.45 in the Buffalo Division

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

RESOLUTION NO. 5530

AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213596 WITH NUSSBAUMER & CLARK, INC. FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TAB 06-29, BLASDELL EXIT 56 RAMP RECONSTRUCTION AND RAMP BRIDGE REPLACEMENT AT M.P. 432.45 IN THE BUFFALO DIVISION

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213596 with Nussbaumer & Clark, Inc., 3556



Item 19 by Mr. Waite (Appendix S)

Authorizing Negotiation and Execution of Engineering Agreement D213596 with Nussbaumer & Clark, Inc. for Construction Inspection Services Relative to TAB 06-29, Blasdell Exit 56 Ramp Reconstruction and Ramp Bridge Replacement at MP 432.45 in the Buffalo Division (Continued)

Lake Shore Road, Suite 500, Buffalo, New York 14219-1494, for construction inspection services relative to TAB 06-29, Blasdell Exit 56 Ramp Reconstruction and Ramp Bridge Replacement at M.P. 432.45 in the Buffalo Division, provided that the Maximum Amount Payable does not exceed the \$926,000 which is currently provided through the 2006 Contracts Program (H825.1 AND B903.1), 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 No. 5511 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 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 20 by Mr. Waite (Appendix T)

Authorizing Negotiation and Execution of Engineering Agreement D213605 with Prudent Engineering, LLP for Construction Inspection Services Relative to TAS 06-31, Pavement Resurfacing from M.P. 262.0 to M.P. 269.0 in the Syracuse Division and Allocating Funds Therefor

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

RESOLUTION NO. 5531

AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213605 WITH PRUDENT ENGINEERING, LLP FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TAS 06-31, PAVEMENT RESURFACING FROM M.P. 262.0 TO M.P. 269.0 IN THE SYRACUSE DIVISION AND ALLOCATING FUNDS THEREFOR

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213605 with Prudent Engineering, LLP, 6390 Fly Road, Syracuse, NY 130570 for construction inspection services relative to TAS 06-31, Pavement Resurfacing from M.P. 262.0 to M.P. 269.0 in the Syracuse Division, provided that the Maximum Amount Payable does not exceed the \$1,000,000 of which \$700,000 is provided through the 2006 Contracts Program (H888.1), and be it further

RESOLVED, that an additional \$300,000 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

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 No. 5511 and other Board



Item 20 by Mr. Waite (Appendix T)

Authorizing Negotiation and Execution of Engineering Agreement D213605 with Prudent Engineering, LLP for Construction Inspection Services Relative to TAS 06-31, Pavement Resurfacing from M.P. 262.0 to M.P. 269.0 in the Syracuse Division and Allocating Funds Therefor (Continued)

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 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 21 by Mr. Waite (Appendix U)

Authorizing Negotiation and Execution of Engineering Agreement D213606 with Hatch Mott MacDonald NY, Inc. for Construction Inspection Services Relative to TAB 06-28, Addition of Two E-ZPass Lanes at the Ripley Toll Barrier in the Buffalo Division

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

RESOLUTION NO. 5532

AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213606 WITH HATCH MOTT MACDONALD NY, INC. FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TAB 06-28, ADDITION OF TWO E-ZPASS LANES AT THE RIPLEY TOLL BARRIER IN THE BUFFALO DIVISION

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213606 with Hatch Mott MacDonald NY, Inc., 438 Main Street, Suite 700, Buffalo, New York 14202 for construction inspection services relative to TAB 06-28, Addition of two E-ZPass Lanes at the Ripley Toll Barrier in



Item 21 by Mr. Waite (Appendix U)

Authorizing Negotiation and Execution of Engineering Agreement D213606 with Hatch Mott MacDonald NY, Inc. for Construction Inspection Services Relative to TAB 06-28, Addition of Two E-ZPass Lanes at the Ripley Toll Barrier in the Buffalo Division (Continued)

the Buffalo Division, provided that the Maximum Amount Payable does not exceed the \$220,000 which is currently provided through the 2006 Contracts Program (H1014.2), 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 No. 5511 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 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 22 by Mr. Waite (Appendix V)

Authorizing Negotiation and Execution of Engineering Agreement D213607 with DiDonato Associates Engineering and Architecture, P.C. for Construction Inspection Services Relative to TAN 06-20, Black Rock Toll Plaza Pavement Resurfacing and Safety and Operational Improvements in the Buffalo Division, and Allocating Funds Therefor

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



Item 22 by Mr. Waite (Appendix V)

Authorizing Negotiation and Execution of Engineering Agreement D213607 with DiDonato Associates Engineering and Architecture, P.C. for Construction Inspection Services Relative to TAN 06-20, Black Rock Toll Plaza Pavement Resurfacing and Safety and Operational Improvements in the Buffalo Division, and Allocating Funds Therefor (Continued)

RESOLUTION NO. 5533

AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213607 WITH DIDONATO ASSOCIATES ENGINEERING AND ARCHITECTURE, P.C. FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TAN 06-20, BLACK ROCK TOLL PLAZA PAVEMENT RESURFACING AND SAFETY AND OPERATIONAL IMPROVEMENTS IN THE BUFFALO DIVISION, AND ALLOCATING FUNDS THEREFOR

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213607 with DiDonato Associates Engineering and Architecture, P.C., 689 Main Street, Buffalo, New York 14203 for construction inspection services relative to TAN 06-20, Black Rock Toll Plaza Pavement Resurfacing and Safety and Operational Improvements in the Buffalo Division, provided that the Maximum Amount Payable does not exceed \$285,000, of which \$155,743 is provided through the 2006 Contracts Program (H828.2 and H1011.1), and be it further

RESOLVED, that an additional \$129,257 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,

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



Item 22 by Mr. Waite (Appendix V)

Authorizing Negotiation and Execution of Engineering Agreement D213607 with DiDonato Associates Engineering and Architecture, P.C. for Construction Inspection Services Relative to TAN 06-20, Black Rock Toll Plaza Pavement Resurfacing and Safety and Operational Improvements in the Buffalo Division, and Allocating Funds Therefor (Continued)

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 No. 5511 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 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 23 by Mr. Waite (Appendix W)

Authorizing Negotiation and Execution of Engineering Agreement D213611 with TVGA Engineering Surveying, P.C. for Construction Inspection Services Relative to TAB 06-33, Operational Improvements at Williams Street (Exit 52A) in the Buffalo Division

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

RESOLUTION NO. 5534

AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213611 WITH TVGA ENGINEERING SURVEYING, P.C. FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TAB 06-33, OPERATIONAL IMPROVEMENTS AT WILLIAMS STREET (EXIT 52A) IN THE BUFFALO DIVISION



Item 23 by Mr. Waite (Appendix W)

Authorizing Negotiation and Execution of Engineering Agreement D213611 with TVGA Engineering Surveying, P.C. for Construction Inspection Services Relative to TAB 06-33, Operational Improvements at Williams Street (Exit 52A) in the Buffalo Division (Continued)

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213611 with TVGA Engineering Surveying, P.C., 1000 Maple Road, Elma, New York, 14059 for construction inspection services relative to TAB 06-33, Operational Improvements at Williams Street (Exit 52A) in the Buffalo Division, provided that the Maximum Amount Payable does not exceed the \$130,000 which is currently provided through the 2006 Contracts Program (H1014.1), 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 No. 5511 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 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 24 by Mr. Waite (Appendix X)

Authorizing Negotiation and Execution of Three Term Agreements (D213604, D213619 and D213620) with Three Engineering Firms for Construction Inspection Support Services for a Period of Two Years

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

RESOLUTION NO. 5535

AUTHORIZING NEGOTIATION AND EXECUTION OF THREE TERM AGREEMENTS (D213604, D213619, AND D213620) WITH THREE ENGINEERING FIRMS FOR CONSTRUCTION INSPECTION SUPPORT SERVICES FOR A PERIOD OF TWO YEARS

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute term agreements (D213604, D213619 and D213620) with the three (3) engineering firms listed in Exhibit A, attached hereto, for construction inspection support services with the Maximum Amount Payable of each of these agreements not to exceed the amount shown in the attached Exhibit A, 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 agreements, manage and administer the agreements, amend the provisions of the agreements consistent with the terms of this item and in accordance with the 2006 Contracts Program Resolution No. 5511 and other Board authorizations, and suspend or terminate the agreements in the best interests of the Authority, and be it further

RESOLVED, that information relating to each agreement be included in the Chief Engineer's Quarterly Report to the Board on Contracts Program activities which will include the date of execution of each agreement, and be it further



Item 24 by Mr. Waite (Appendix X)

Authorizing Negotiation and Execution of Three Term Agreements (D213604, D213619 and D213620) with Three Engineering Firms for Construction Inspection Support Services for a Period of Two Years (Continued)

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

Item 25 by Mr. Waite (Appendix Y)

Authorizing Negotiation and Execution of Six Term Agreements (D213581, D213582, D213599, D213600, D213601 and D213602) with Six Firms for Materials Testing and Inspection Services for a Period of Two Years

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

RESOLUTION NO. 5536

AUTHORIZING NEGOTIATION AND EXECUTION OF SIX TERM AGREEMENTS (D213581, D213582, D213599, D213600, D213601 AND D213602) WITH SIX FIRMS FOR MATERIALS TESTING AND INSPECTION SERVICES FOR A PERIOD OF TWO YEARS

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute term agreements (D213581, D213582, D213599, D213600, D213601 and D213602) with the six firms listed in Exhibit A, attached hereto, for materials testing and inspection services with the Maximum Amount Payable of each of these agreements not to exceed the amount shown in Exhibit A, 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 agreements, manage and administer the agreements, amend the provisions of the agreements consistent with the terms of this item and in accordance with the 2006 Contracts Program Resolution No. 5511 and other Board authorizations, and suspend or terminate the agreements in the best interests of the Authority, and be it further



Item 25 by Mr. Waite (Appendix Y)

Authorizing Negotiation and Execution of Six Term Agreements (D213581, D213582, D213599, D213600, D213601 and D213602) with Six Firms for Materials Testing and Inspection Services for a Period of Two Years (Continued)

RESOLVED, that the information relating to each agreement be included in the Chief Engineer's Quarterly Report to the Board on Contracts Program activities which will include the date of execution of each agreement, and be it further

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

Item 26 by Mr. Waite (Appendix Z)

Authorizing Negotiation and Execution of Three Term Agreements (D213578, D213579 and D213580) with Three Firms for Land Surveying Services for a Period of Two Years

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

RESOLUTION NO. 5537

AUTHORIZING NEGOTIATION AND EXECUTION OF THREE TERM AGREEMENTS (D213578, D213579 AND D213580) WITH THREE FIRMS FOR LAND SURVEYING SERVICES FOR A PERIOD OF TWO YEARS

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute term agreements (D213578, D213579 AND D213580) with the three firms listed in Exhibit A, attached hereto, for Land Surveying Services with the Maximum Amount Payable of each of these agreements not to exceed the amount shown in Exhibit A, 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 agreements, manage and administer the agreements, amend



Item 26 by Mr. Waite (Appendix Z)

Authorizing Negotiation and Execution of Three Term Agreements (D213578, D213579 and D213580) with Three Firms for Land Surveying Services for a Period of Two Years (Continued)

the provisions of the agreements consistent with the terms of this item and in accordance with the 2006 Contracts Program Resolution No. 5511 and other Board authorizations, and suspend or terminate the agreements in the best interests of the Authority, and be it further

RESOLVED, that the information relating to each agreement be included in Chief Engineer's Quarterly Report to the Board on Contracts Program activities which will include the date of execution of each agreement, and be it further

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

Item 27 by Mr. Bryan (Appendix AA)

Approving Supplemental Agreement No. 1 to D213463 with Vollmer Associates, LLP for Consulting Services Relative to the Finance and Operation of the Thruway System

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. 5538

APPROVING SUPPLEMENTAL AGREEMENT NO. 1 TO D213463 WITH VOLLMER ASSOCIATES, LLP FOR CONSULTING SERVICES RELATIVE TO THE FINANCE AND OPERATION OF THE THRUWAY SYSTEM

RESOLVED, that the proposed Supplemental Agreement No. 1 to D213463 with Vollmer Associates, LLP, 50 West 23Rd Street, New York, New York 10010, for consulting services relative to Finance and Operation of the Thruway System, for an additional sum of \$200,000 from the Professional Services Account in the General Charges



Item 27 by Mr. Bryan (Appendix AA)

Approving Supplemental Agreement No. 1 to D213463 with Vollmer Associates, LLP for Consulting Services Relative to the Finance and Operation of the Thruway System

Undistributed Operating Budget be, and the same hereby is, approved, and be it further

RESOLVED, that the revised Maximum Amount Payable for this Agreement (D213463) be \$600,000, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the Supplemental Agreement, manage and administer the Supplemental Agreement, amend the provisions of the Supplemental Agreement consistent with the terms of this item and in accordance with the 2006 Contracts Program Resolution No. 5511 and other Board authorizations, and suspend or terminate the Supplemental Agreement in the best interests of the Authority, and be it further

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

Item 28 by Mr. Waite (Appendix BB)

Authorizing Additional Funding for the Award of TAS 06-5A, Little Falls Salt Shed in the Syracuse Division

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. 5539

AUTHORIZING ADDITIONAL FUNDING FOR THE AWARD OF TAS 06-5A, LITTLE FALLS SALT SHED IN THE SYRACUSE DIVISION

RESOLVED, that additional funding for the award of TAS 06-5A, Little Falls Salt Shed in the Syracuse Division, to Park Lane Construction & Development Corporation for



Item 28 by Mr. Waite (Appendix BB)

Authorizing Additional Funding for the Award of TAS 06-5A, Little Falls Salt Shed in the Syracuse Division

their low bid of \$1,616,701 be authorized, and the same hereby is, and be it further

RESOLVED, that an additional sum of \$366,701 be, and the same hereby is, allocated toward contract TAS 06-5A from savings in the 2006 Contracts Program that is associated with B905.1, Tappan Zee Bridge Partial Superstructure Replacement, 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 the terms of this item and other Board authorizations and suspend or terminate the contract in the best interests of the Authority, and be it further

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

Item 29 by Mr. Waite (Appendix CC)

Authorizing Additional Funding for the Award of TANE 06-21, Portland Cement Concrete Pavement Restoration and Bridge Work on I-95 from M.P. NE0.0 to NE7.2 in the New York 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. 5540

AUTHORIZING ADDITIONAL FUNDING FOR THE AWARD OF TANE 06-21, PORTLAND CEMENT CONCRETE PAVEMENT RESTORATION AND BRIDGE WORK ON I-95 FROM M.P. NE0.0 TO NE7.2 IN THE NEW YORK DIVISION



Item 29 by Mr. Waite (Appendix CC)

Authorizing Additional Funding for the Award of TANE 06-21, Portland Cement Concrete Pavement Restoration and Bridge Work on I-95 from M.P. NE0.0 to NE7.2 in the New York Division (Continued)

RESOLVED, that additional funding for the award of TANE 06-21, Portland Cement Concrete Pavement Restoration and Bridge Work on I-95 from M.P. NE0.0 to NE7.2 in the New York Division, to ECCO III Enterprises, Inc. for their low bid of \$28,216,835.92 be authorized, and the same hereby is, and be it further

RESOLVED, that an additional sum of \$6,416,835.92 be, and the same hereby is, allocated toward contract TANY 06-21 from savings in the 2006 Contracts Program that is associated with B905.1, Tappan Zee Bridge Partial Superstructure Replacement, 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 the terms of this item and other Board authorizations and suspend or terminate the contract in the best interests of the Authority, and be it further

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

Item 30 by Mr. Waite (Appendix DD)

Authorizing Additional Funding for TAN 06-11B (D213403), Sidewalk Rehabilitation and Curb Repairs at the North Grand Island Bridge in the Buffalo Division

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



Item 30 by Mr. Waite (Appendix DD)

Authorizing Additional Funding for TAN 06-11B (D213403), Sidewalk Rehabilitation and Curb Repairs at the North Grand Island Bridge in the Buffalo Division (Continued)

RESOLUTION NO. 5541

AUTHORIZING ADDITIONAL FUNDING FOR TAN 06-11B (D213403), SIDEWALK REHABILITATION AND CURB REPAIRS AT THE NORTH GRAND ISLAND BRIDGE IN THE BUFFALO DIVISION

RESOLVED, that an additional sum of \$380,000 be, and the same hereby is, allocated toward contract TAN 06-11B (D213403), Sidewalk Rehabilitation and Curb Repairs at the North Grand Island Bridge in the Buffalo Division, from savings in the 2006 Contracts Program that is associated with B905.1, Tappan Zee Bridge Partial Superstructure Replacement, and be it further

RESOLVED, that the revised contract value for TAN 06-11B (D213403) be \$1,685,657, 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 the terms of this item and other Board authorizations and suspend or terminate the contract in the best interests of the Authority, and be it further

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



Item 31 by Mr. Bryan – EXECUTIVE SESSION (Appendix EE)
Declaring Surplus to Authority Needs, Real Property Reference No. 545, Located in
New York Division at Milepost NE/1,75/SB in the City of New York, County of Bronx;
and Authorizing Its Release to Moshe M. Zlich

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

RESOLUTION NO. 5542

DECLARING SURPLUS TO AUTHORITY NEEDS, REAL PROPERTY REFERENCE NO. 545, LOCATED IN NEW YORK DIVISION AT MILEPOST NE/1.75/SB IN THE CITY OF NEW YORK, COUNTY OF BRONX; AND AUTHORIZING ITS RELEASE TO MOSHE M. ZLICHA

RESOLVED, that the Authority Board hereby declares that Real Property Reference No. 545 (“Easement”), delineated as Parcel No. 150 on Appropriation Map No. 114 in Bronx County in the New England Section of the Thruway, is surplus to the needs of the Authority; and be it further

RESOLVED, that a release of the Easement (“Release”) to Moshe M. Zlich (“Applicant”), for consideration authorized during the Executive Session of this meeting and on other such terms as may be deemed by the Executive Director, or his designee, to be in the best interest of the Authority, be, and the same hereby is, approved; and be it further

RESOLVED, that the Executive Director, or his designee, be, and the same hereby is, authorized to execute all documents necessary to consummate the Release; and be it further

RESOLVED, that the Release shall be subject to the Applicant’s payment of all costs incidental thereto; and be it further

RESOLVED, that the Chief Engineer’s recommendation regarding the environmental significance



Item 31 by Mr. Bryan – EXECUTIVE SESSION (Appendix EE)
Declaring Surplus to Authority Needs, Real Property Reference No. 545, Located in
New York Division at Milepost NE/1,75/SB in the City of New York, County of Bronx;
and Authorizing Its Release to Moshe M. Zlich (Continued)

of this action (“Recommendation”), pursuant to the State Environmental Quality Review Act (“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 Negative Declaration in accordance with the Recommendation, and to distribute any required notices on behalf of the Board relative to this action; and be it further

RESOLVED, that the Executive Director, the Chief Engineer, 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 the Release must be consummated within one (1) year of the date that this resolution is adopted by the Authority Board, and that if the Release is not completed, all authorization to proceed with the Release shall be deemed to have expired; and be it further

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

Item 32 by Ms. O’Conor – EXECUTIVE SESSION (Appendix FF)
Approving Settlement of Church V. NYSTA

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

RESOLUTION NO. 5543
APPROVING THE SETTLEMENT OF CHURCH V.
NYSTA IN THE AMOUNT OF \$12 MILLION



Item 32 by Ms. O’Conor – EXECUTIVE SESSION (Appendix FF)
Approving Settlement of Church V. NYSTA (Continued)

RESOLVED, that the case of Church v. NYSTA be settled in the amount of \$12 million without recourse from any other party, and be it further

RESOLVED, that the General Counsel or her designee be, and hereby is, authorized to enter stipulations and execute documents as may be necessary or appropriate to effectuate this settlement, and be it further

RESOLVED, that the Chief Financial Officer be, and hereby is, authorized to fund this settlement out of the Authority’s claims reserve and any other available monies, 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. Crotty, without any objections, the meeting was adjourned.

Jill B. Warner
Secretary

