

MINUTES OF THE REGULAR MEETING OF THE
NEW YORK STATE BRIDGE AUTHORITY

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
NOVEMBER 21, 2019

Business agenda documents/reports are mailed to the Board Members and General Counsel one week prior to the meeting. Board meetings are web cast and are available on-line.

IN ATTENDANCE:

BOARD MEMBERS:

Gerentine, Richard A., Chairman
Higgins, Roger P., Vice Chairman
Jablonski, Diane, Commissioner
Stanton, J. Henry, Commissioner
Dressel, Roderick O., Commissioner

OFFICERS:

Sullivan, Tara, Secretary
Bushek, Brian, Treasurer
Whitbeck, Carl G., Counsel

Chairman Gerentine called the meeting to order at 3:02 pm. Chairman Gerentine called for a motion to adopt the Regular minutes of the October 17, 2019 Regular meeting. On a motion of Vice Chairman Higgins, seconded by Commissioner Jablonski, the Regular minutes of the October 17, 2019 Regular meeting were adopted unanimously.

ENGINEERING:1) NBB North Span Deck Replacement Project Labor Agreement – BA-2018-RE-110-PS

Mr. Wright explained that the Project Labor Agreement (PLA) has been cooperatively drafted by the Hudson Valley Building and Construction Trades Council, NYSBA and Carl Whitbeck, Esq. Work rules within this agreement shall apply to the contract for the replacement of the bridge deck on the North Span of our Newburgh-Beacon facility. Important economic concessions have been negotiated in this document that will provide savings in excess of \$1.8 million. Chairman Gerentine asked for a motion. On a motion of Vice Chairman Higgins, seconded by Commissioner Jablonski, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 019-109

Resolution Date: November 21, 2019

WHEREAS, the New York State Bridge Authority has determined that it is in the best interest of the Authority to avail itself of the economic savings afforded through the use of a Project Labor Agreement (PLA), which was evaluated on the deck replacement project at the Newburgh-Beacon Bridge North Span (BA-2018-RE-110-PS); and

WHEREAS, the Executive Office and Authority Directors have reviewed the due diligence report prepared by Arace and Company Consulting, evaluating the savings for said PLA, which are estimated in excess of \$1.8 million; and

WHEREAS, the Authority's General Counsel has also reviewed the PLA; now therefore

BE IT RESOLVED that the Project Labor Agreement dated October 16, 2019 is accepted; and

BE IT FURTHER RESOLVED that the Acting Executive Director, or her designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 21st day of November 2019.

Tara Sullivan, Secretary

2) System-Wide Bridges and Highways Repair Readiness – Second Contract Extension – BA-2016-RE-101-CM

Mr. Wright indicated to the Board that in 2015, the Authority publicly advertised for a contractor to provide twenty-four (24) hour standby readiness to protect property and public safety by repairing portions of and preventing further degradation to Authority facilities at the discretion of the Chief Engineer. Utilization goals were set at zero as this contract is exempt from W/MBE goals since there are no pre-established items of work. Hudson Valley Bridge Construction, (HVB) of Harriman, New York, was the low bidder and was awarded a three (3) year contract with the option of extending the service period for two (2) additional one year terms. We have previously exercised the first option to extend for the period January 1, 2019 through December 31, 2019 and would now like to extend for the second and final time, to include January 1, 2020 through December 31, 2020. A brief discussion followed relative to pothole repairs at the Newburgh Beacon Bridge. Chairman Gerentine called for a motion. On a motion of Vice Chairmen Higgins, seconded by Commissioner Dressel, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 019-110

Resolution Date: November 21, 2019

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to extend the current contract for twenty-four (24) hour standby readiness in order to protect property and public safety by repairing portions of and preventing further degradation to Authority facilities, publicly advertised and bid as BA-2016-RE-101-CM, "System-Wide Bridge and Highway Repairs – Standby Readiness"; and

WHEREAS, the Authority previously awarded this contract to Hudson Valley Bridge Construction, (HVB) of Harriman, New York and entered into a contract effective January 1, 2016; and

WHEREAS, this contract included the option for the Authority to extend the term of the contract for two (2) additional one year periods; and

WHEREAS, the Authority's Engineering Department recommends exercising our option to extend the contract for an additional year, from January 1, 2020 to December 31, 2020 at a not-to-exceed amount of \$1 million; now therefore

BE IT RESOLVED that the Board of Commissioners of the New York State Bridge Authority authorizes the extension of this agreement with Hudson Valley Bridge Construction (HVB); and

BE IT FURTHER RESOLVED that the Acting Executive Director, or her designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 21st day of November 2019.

Tara Sullivan, Secretary

3) KRB Plow/Pattern Truck Procurement BA-2018-RE-126-AC

Mr. Wright informed the board that Mr. Gardner, Manager of Maintenance has worked with Jared Geuss, KRB Foreman, to design a new plow/pattern truck for use at the Kingston-Rhinecliff Bridge. They have come up with a flatbed pattern truck, which incorporates cone setting baskets, an arrow board and an impact attenuator. This truck will also be set up for winter maintenance operations with a stainless steel V-box spreader, one way funnel plow and pre-wetting system. The truck itself is an International HV 5506, which will be purchased through Ben Funk, of Hudson, New York. The body upfit will be completed by Amthor Welding, of Gardiner, New York utilizing Tenco Equipment. The entire truck will be purchased by piggybacking onto the already publicly advertised and bid Onondaga contract, Bid Number 8996. Because we will be piggybacking this contract, M/WBE considerations do not apply. This vehicle will replace one of our older large diesel plow trucks, which will be put up for auction. Truck #203 is a 1998 International 4900 with 33,900 miles and 4,571 hours. The total truck cost comes in at \$242,937.33, which includes \$114,237.00 for the cab and chassis and \$128,700.33 for the body, plow, attenuator and cone setting pockets and installation. Although this vehicle is quite costly, it will be a multi-purpose vehicle; it will set patterns on the bridge, provide an impact attenuator to protect our maintenance workers and provide snow fighting capabilities, the cost is in line with recent equipment purchases. The last plow truck purchased for MHB cost \$193,000.00, a new plow will cost \$10,000.00 and a recent impact attenuator we bought cost \$28,000.00. The cone setting pockets and additional fabrication work for this truck justify the additional \$10,000.00 in cost. Chairman Gerentine called for a motion. On a motion of Vice Chairman Higgins, seconded By Commissioner Jablonski, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 019-111

Resolution Date: November 21, 2019

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to Ben Funk Inc. International, of Hudson, New York, for the purchase of one new plow/pattern truck for use at the Kingston-Rhinecliff Bridge, to replace Truck #203, a 1998 International 4900 with 33.900 miles and 4,571 hours, which shall be put up for auction; and

WHEREAS, there is not current OGS contract for this equipment and Onondaga County Division of Purchase has publicly advertised and awarded the procurement of an International HV 5506 as Bid Number 8996; and

WHEREAS, NYS General Municipal Law allows for the Authority's shared utilization of another agency's publicly advertised and awarded contract and M/WBE considerations do not apply; and

WHEREAS, the truck will be upfit by Amthor Welding, of Gardiner, New York, utilizing Tenco Equipment and shall include cone-setting basket, an arrow board,

impact attenuator, stainless steel V-box spreader, one way funnel plow and pre-wetting system; now therefore

BE IT RESOLVED that a purchase order be issued to Ben Funk Inc. International for the purchase of one (1) International HV 5506 flatbed pattern truck in an amount not to exceed \$242,937.33; and

BE IT FURTHER RESOLVED that the Acting Executive Director, or her designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 21st day of November 2019.

Tara Sullivan, Secretary

4) NBB North Span Design – Change Order BA-2018-RE-110-DE

Mr. Wright explained that the Board approved hiring Greenman-Pedersen (GPI), for the design of the Newburgh-Beacon North Span re-decking project at the October 2018 Board meeting. Due to New York State moving towards cashless tolling, we find it necessary to direct GPI to add in design for this eventuality. We have also had our Green Energy consultant look into the potential of installing solar panels on the NBB North Span in order to help meet the Governor's initiative of 100% renewable energy by 2040. In order to most efficiently reconfigure the toll plaza for cashless tolling around the same timeframe as the re-decking project on the NBB North Span and to install solar panels on the bridge, it would be best to have a single general contractor. As GPI is already designing the NBB North Span re-decking project, we asked them to provide a not-to-exceed cost to additionally design the reconfiguration of the toll plaza and for the solar installation on the North Span. After reviewing the cost proposal with M/WBE goals of 30% and an SDVOB goal of 6%, Mr. Wright recommended GPI to perform this design change order at a not-to-exceed cost of \$596,100.00. Commissioner Stanton wanted to be cautious regarding changes to the structure and would like to thoroughly think through the placement of the solar panels before any changes are made to the bridge. The Authority is confident that Modjeski and Masters will thoroughly review GPI's design proposal. Chairman Gerentine called for a motion. On a motion of Vice Chairman Higgins, seconded by Commissioner Dressel, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 019-112

Resolution Date: November 21, 2019

WHEREAS, bids were solicited through the New York State Contract Reporter in October 2018 for the contract entitled Newburgh-Beacon Bridge North Span Deck Replacement Design (BA-2018-RE-110-DE) and five (5) proposals were received with the firm Greenman-Pedersen (GPI) determined to be best qualified; and

WHEREAS, New York State is moving towards cashless tolling, the Authority finds it necessary to direct GPI to design for this eventuality at the Newburgh-Beacon Bridge; and

WHEREAS, the Authority has also investigated the potential of installing solar panels on the Newburgh-Beacon North Span in an attempt to meet the Governor's initiative of 100% renewable energy use by 2040; and

WHEREAS, the Authority has determined that as it would be most efficient to reconfigure the toll plaza of the Newburgh-Beacon Bridge for cashless tolling at the same time as the deck replacement of the North Span and install solar panels on the structure, it would be best to task a single general contractor with that work; and

WHEREAS, GPI is already designing the NBB North Span deck replacement, the Engineering department has requested and reviewed their proposal, including an M/WBE goal of 30% and SDVOB goal of 6%, to additionally design the

reconfiguration of the toll plaza and for the solar installation on the North Span at not-to-exceed cost of \$596,100.00; now therefore

BE IT RESOLVED that the Board of Commissioners approve GPI's proposal to perform this change order at a not-to-exceed cost of \$596,100.00; and

BE IT FURTHER RESOLVED that the Acting Executive Director, or her designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 21st day of November 2019.

Tara Sullivan, Secretary

5) Newburgh Beacon 2020 Class 5 4WD Cab & Chassis with Dump Body Procurement BA-2019-RE-124-AC

Mr. Wright informed the Board that the Authority advertised and bid a Class 5 cab and chassis with a dump body for the Newburgh-Beacon Bridge. This dump truck will be used to haul some of our larger trailer-mounted equipment, such as the pothole killer and our rapid set concrete trailer. This will replace Truck #291, a 2003 Chevrolet one ton dump truck with 90,456 miles and 11,413 hours. Nine vendors requested the proposal package and we received five (5) bids on November 7th at 2 PM. Because vehicles are on the Authority's list of exclusions, no goals were set for M/WBE or SDVOB participation. Sawyer Motors, of Saugerties, NY, is the apparent low bidder at a price of \$55,699.00 for one (1) 2020 Ram 5500 Regular Cab 4x4 that meets the spec we requested. Chairman Gerentine called for a motion. On a motion of Vice Chairman Higgins, seconded by Commissioner Jablonski, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 019-113

Resolution Date: November 21, 2019

WHEREAS, the New York State Bridge Authority has determined it is in the public interest to replace Truck #291 at the Newburgh-Beacon Bridge, a 2003 Chevrolet one ton dump truck with 90,456 miles and 11,413 hours, which will be put up for auction; and

WHEREAS, the Engineering and Maintenance department publicly advertised and bid this procurement in the New York State Contract Reporter and received five (5) bids; and

WHEREAS, the Authority has determined that Sawyer Motors of Saugerties, New York, is the apparent low bidder, having provided a vehicle that meets our specifications; now therefore

BE IT RESOLVED that the Board of Commissioners of the New York State Bridge Authority approve issuing a purchase order to Sawyer Motors for the purchase of one (1) 2020 Ram 5500 Regular Cab 4x4, equipped with a 6.4 Hemi gas engine and 6 speed HD automatic transmission at a price of \$55,699.00; and

BE IT FURTHER RESOLVED that the Acting Executive Director, or her designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 21st day of November 2019.

Tara Sullivan, Secretary

6) Jobs in Progress

Mr. Wright advised the Board regarding the Engineering Jobs in Progress Report for the month. The I-84/9W overpass project at the Newburgh-Beacon Bridge is complete, on-time and under budget. Also the south span sidewalk repairs continue at the Newburgh Beacon Bridge. Chairman Gerentine called for a motion. On a motion of Vice Chairman Higgins, seconded by Commissioner Jablonski, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 019-114Resolution Date: November 21, 2019

WHEREAS, the Board has reviewed the monthly Engineering Progress Report on Capital Project Status; and

BE IT RESOLVED that the Engineering Progress Report is accepted as an instrument documenting the Board's briefing of Capital Construction activities; and

BE IT FURTHER RESOLVED that the Acting Executive Director, or her designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 21st day of November 2019.

Tara Sullivan, Secretary

FINANCIAL:1) Investment Report

Mr. Bushek reviewed the monthly Investment Report noting nine investments for the month. Chairman Gerentine called for a motion. On a motion of Vice Chairman Higgins, seconded by Commissioner Jablonski, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 019-115Resolution Date: November 21, 2019

WHEREAS, the investment control procedures for the New York State Bridge Authority provide that the Board shall review and approve the report of investment transactions completed since the meeting of the Board on October 17, 2019; now therefore

BE IT RESOLVED, that the Board of Commissioners of the New York State Bridge Authority does hereby concur with and approve the investment report as filed with this body on this date for the purpose noted; and

BE IT FURTHER RESOLVED, that the Acting Executive Director, or her designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 21st day of November, 2019.

Tara Sullivan, Secretary

2) Annual Billing from NY State Employees' Retirement System

Mr. Bushek explained to the Board that annually, as a participating employer, the Bridge Authority is billed, by the State Employees Retirement System, for its share of the yearly expense for the future pension benefits of its employees. The cost for the fiscal year ending March 31, 2020 is \$1,445,115 for the Authority's 163 employees currently in the system. The individual employers' cost vary from year to year based upon salaries, as well as contribution rates which rise and fall predicated upon investment results of the Retirement Fund. This year's cost is a decrease of \$20,195, or 1.4% compared to the prior year. Chairman Gerentine called for a motion. Commissioner abstained from voting because he benefits from the retirement system. On a motion of Vice Chairman Higgins, seconded by Commissioner Jablonski, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 019-116

Resolution Date: November 21, 2019

WHEREAS, the Board has reviewed the report relative to the payment of the annual invoice to the New York State Employees' Retirement System; now therefore
BE IT RESOLVED, the New York State Bridge Authority does hereby approve the payment of \$1,445,115 to the New York State and Local Retirement System for pension costs incurred for the year ending March 31, 2020; and

BE IT FURTHER RESOLVED, that the Acting Executive Director, or her designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 21st day of November, 2019.

Tara Sullivan, Secretary

3) Single Source Contract Procurement – BA-2019-RE-005-PS System Wide Electronic Data Processing Consultant

Mr. Bushek explained to the Board that he recommended and requested the Authority consider the award of a single source contract to Fagan Consulting to provide professional consulting services assisting the Authority in the modernization of its toll systems and processes.

Single source procurements are defined in the State Procurement Guidelines as “A procurement in which, although two or more offerors can supply the required commodities or services, the commissioner or state agency, upon written findings setting forth the material and substantial reasons therefor, may award the contract to one offeror over the other. The commissioner or state agency shall document in the procurement record the circumstances leading to the selection of the vendor, including the alternatives considered, the rationale for selecting the specific vendor, and the basis upon which it determined the cost was reasonable (State Finance Law §163. (h)).”

The Authority is seeking professional assistance in the modernization of its tolling systems and processes consisting of its in lane, plaza, central, and NY E-ZPass customer service center components.

Justifications:

Project Time Constraints – The Authority is seeking to rapidly modernize processes and systems to support traffic flow at the Newburgh-Beacon Bridge during the construction activities to replace the deck on the north span. The Newburgh-Beacon North Span project is projected to begin construction in late 2020. Finalizing design and bidding activities require that design elements for the modernized tolling strategy be complete before the bidding process begins on the larger project. The Authority has approximately three months to complete these elements without impacting the deck project schedule. The proposed consultant will assist the Authority to complete the development of a tolling strategy, identify and contract required vendors, complete detail designs over the next three months, and coordinate the initial implementation.

Expertise of Project Lead – The specific consultant being provided by Fagan is uniquely qualified to assist the Authority in these activities. The consultant is a former MTA employee who has worked as a consultant modernizing tolling operations for other entities. His past experience developing the Tolls by Mail pilot project at MTA for the Henry Hudson bridge provides the Authority with hands on experience of project elements the Authority expects to address.

Familiarity - The Consultant has worked with the NY E-ZPass customer service center and the three major NY participants. Working for the MTA brings insight into the challenges of the transition from gated lanes the Authority utilizes now to the NY Tolls by Mail environment used at other NY entities.

Cost – The proposed cost to evaluate the Authority’s progress, provide input into on-going efforts, contract necessary vendors, and project manage the early stages of the project is \$175,000. Chairman Gerentine called for a motion. On a motion of

Vice Chairman Higgins, seconded by Commissioner Jablonski, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 019-117

Resolution Date: November 21, 2019

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to modernize tolling systems and processes at all of its facilities; and,

WHEREAS, the Authority has identified Fagan Consulting, an MWBE, has a consultant possessing unique knowledge of tolling systems and processes the Authority seeks to deploy; and

WHEREAS, the Authority has identified time constraints and specific skillset requirements to modernize toll systems and processes to support the deck project on the North Span of Newburgh Beacon Bridge; now therefore

BE IT RESOLVED, that the Board of Commissioners of the New York State Bridge Authority authorize the contract BA-2019-RA-005-PS System-Wide Electronic Data Processing Consultant at the not to exceed amount of \$175,000 to Fagan Consulting for the period ending March 31, 2021 with an option of a one year extension; and

BE IT FURTHER RESOLVED, that the Acting Executive Director, or their designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 21th day of November, 2019.

Tara Sullivan, Secretary

4) Quarterly Operations Report Q3 2019

Mr. Bushek reviewed the third quarter operation report with the Board, noting that while the volume is up, revenue has not increased nearly as much. Operating expenses are up and capital improvement expenses are down. No action was required by the Board.

REPORTS TO BOARD:1) Monthly Activity Report of the Acting Executive Director

The Monthly Activity Report was submitted by Acting Executive Director Tara Sullivan noting no expenditures. No action required by the Board.

2) October 2019 Traffic and Revenue Analysis

Ms. Sullivan noted for the month of October that the Authority's revenues are \$178,785.00 above last year's receipts (\$49,459,293 in 2019, \$49,280,508 in 2018), an increase of 0.36%. No action was required by the Board.

3) October 2019 E-ZPass Sales Analysis

Ms. Sullivan indicated that year-to-date 2019 tag sales were 7,857, compared to 8,280 sold year-to-date 2018, a decrease of 5.1%. No action was required by the Board.

4) Historic Bridges of the Hudson Valley (HBHV) Monthly Report for October 2019

The full monthly and detailed report was submitted to the NYSBA Board of Commissioners and submitted by the Historic Bridges of the Hudson Valley Director Kathy Burke. No action was required by the Board.

PRESENTATION TO THE BOARD:

Mr. Wright gave a power point presentation to the Board highlighting the following:

- Work performed by the Authority's Maintenance Staff in the last year
- Most critical findings during the 2019 Bridge Inspections
- Engineering's plans to address the 2019 Bridge Inspection findings

This concluded the regular meeting. Chairman Gerentine asked for a motion to adjourn the meeting. On a motion of Commissioner Jablonski, seconded by Vice Chairman Higgins and approved unanimously, the regular meeting adjourned at 3:54 P.M.

The next Regular Meeting of the Board of Commissioners meeting is scheduled for December 19, 2019 at 3:00 P.M. at Headquarters.