

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
NOVEMBER 19, 2020

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 VIA ZOOM TELECONFERENCE:

BOARD MEMBERS:

McDonald, Joan, Chair
Bruni, Maria, Vice-Chair
Berardi, Alexander, Commissioner
Gilbert, Ilan, Commissioner
Jarvis, Colin, Commissioner
O'Brien, Michael, Commissioner

OFFICERS:

Sullivan, Tara, Secretary
Bushek, Brian, Treasurer

Chair McDonald called the meeting to order at 3:06pm. First order of business was to adopt the Regular Board meeting minutes of October 15, 2020. Chair McDonald called for a motion. When reviewing the minutes Commissioner Berardi requested his attendance be accurately reflected in the October 15, 2020 minutes. On a motion of Vice-Chair Bruni, seconded by Commissioner O'Brien, the minutes of the October 15, 2020 Regular meeting were adopted as amended unanimously by the Commissioners that were present:

ENGINEERING:

1) System-Wide Green Energy Development Consultant BA-2020-OE-108-PS

Mr. Wright explained to the board that earlier this month, the Authority advertised in the NYS Contract Reporter for a consultant to assist NYSBA in applying for, negotiating and evaluating options for ways to meet the NYS Climate Leadership and Community Protection Act (CLCPA). Specifically, to meet the goals of 70% renewable energy by 2030, 100% carbon free electricity by 2040 and cutting greenhouse gas emissions by 85% by 2050. M/WBE and SDVOB goals were set at 30% and 6%, respectively. Seventeen consultants requested the proposal package and the Authority received one proposal on November 2nd, with Starphire.net, Inc., d/b/a EarthKind Energy being chosen as best qualified at the cost and contract schedule outlined in their proposal with a not-to-exceed fee of \$30,000 for miscellaneous small projects (an average of \$5,000/month x 6 months). Major projects would require development and approval by the Board. The professional services agreement has a term of three (3) years with the option to extend for two (2) additional one (1) year terms. A brief discussion followed relative to low response rates, current general costs and if the Authority has reached out to NYSEDA or the Power Authority regarding opportunities. Chair McDonald called for a motion. On a motion of Commissioner O'Brien and seconded by Commissioner Gilbert, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: 020-115

Resolution Date: November 19, 2020

WHEREAS, the Authority determined it is in the public interest to retain a green energy consultant to assist in discovering ways for the Authority to meet the goals of the New York State Climate Leadership and Community Protection Act (CLCPA); and

WHEREAS, proposals were solicited through the New York State Contract Reporter for the contract entitled "System-Wide Green Energy Development Consultant" as (BA20205-OE-108-PS) and one (1) proposal was received on November 2, 2020 with Starphire.net, Inc., d/b/a EarthKind Energy being chosen as best qualified; and

WHEREAS, the Authority's Engineering department has reviewed EarthKind Energy's proposal; now therefore

BE IT RESOLVED that the Authority enter into a professional services agreement with Starphire.net, Inc., d/b/a EarthKind Energy, of Rhinebeck, New York, to serve as the Authority's System-Wide Green Energy Development Consultant at the cost and contract schedule specified in their RFP response with a not-to-exceed fee of \$30,000 for miscellaneous small projects; 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 19th day of November 2020.

Tara Sullivan, Secretary

2) Jobs in Progress

Mr. Wright advised the Board regarding the Engineering Jobs in Progress Report for the month. Hudson Valley Bridge Construction, Inc., is about 1/3 done with curb and railing rehab on the south curb line on the Mid-Hudson Bridge. On the Newburgh-Beacon Bridge, westbound traffic will switch over to the south span prior to Thanksgiving. The Authority has been working with Yonkers contracting to accelerate the substantial completion to late summer/early fall 2022. On a motion of Commissioner Gilbert and seconded by Commissioner Jarvis, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-116

Resolution Date: November 19, 2020

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 19th day of November 2020.

Tara Sullivan, Secretary

FINANCIAL:

1) Investment Report

Mr. Bushek reviewed the monthly Investment Report noting six investments for the month. Chair McDonald called for a motion. On a motion of Commissioner Berardi and seconded by Vice-Chair Bruni, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-117

Resolution Date: November 19, 2020

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 15, 2020; 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 19th day of November, 2020.

Tara Sullivan, Secretary

2) Budget and Financial Plan 2021-2024

Mr. Bushek explained to the board that pursuant to the authority vested by Section 5 of Article 10 of the New York State Constitution, Article 9 of the Public Authorities Law and Section 8 (14) of the State Finance Law, the State Comptroller adopted Regulation 2 NYCRR Part 203, "Budget and Financial Plan Format, Supporting Documentation and Monitoring – Public Authorities." The Authority's Budget and Financial Plan 2021-2024 (the Plan) required by this regulation included the following: Budget and Financial Plan 2021-2024 including text, Condensed budgeted revenues, expenditures and changes in current net assets 2021 – 2024, Actual financial performance for 2019 and the change in estimates for the previously approved 2020 budget, Debt Schedule 2021 – 2024, and Capital Improvement Program 2021 – 2025. The above documents were provided to audit and finance committee members and other Board members at the meeting on September 17th. Both committees approved sending the budget to the full Board for approval. Changes were made compared to the September budget provided to the committee as follows: A revision was made to Operating Expenses to reclassify debt issuance costs out of operating expenses and more appropriately reflect them in non-operating expenses, a revision to revenues in the years 2022 -2024 based on input from the traffic consultant, and a reclassification of \$40 thousand grants from state to federal. As of November 19th, the Plan will have been available for public inspection and comment at all of our facilities for the thirty days required by the regulation. It has also been made available to the public on the Authority's website. No comments have been received. Chair McDonald called for a motion. On a motion of Commissioner O'Brien and seconded by Commissioner Jarvis, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: 020-118

Resolution Date: November 19, 2020

WHEREAS, Office of the State Comptroller Regulation 2 NYCRR Part 203 requires that Bridge Authority budget and financial plan information for fiscal years 2021 through 2024 be prepared, approved and forwarded in report form to the Comptroller; and,

BE IT RESOLVED, that the Authority hereby approves the proposed budget and financial plan information; 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 19th day of November, 2020.

Tara Sullivan, Secretary

3) Quarterly Operations Report

Mr. Bushek noted that as of 9 months ended September 30, 2020 the traffic decrease of 20.79% was attributable to COVID-19. The decrease in passenger traffic of 21.13% began with the COVID-19 response in March. Commercial traffic decreases of 4.35% have been less significant and somewhat offset by commercial traffic increases in recent months. This produced a net decrease in toll revenue of 10.25% despite the toll schedule revision implemented on May 1, 2020. The decrease in passenger traffic revenue of 15.51% was somewhat offset by commercial traffic revenue increase of 2.29%. Significant decreases in interest rates produced decreased interest income bringing the year to date to \$1,035,000, or \$308,000 lower than prior year. Miscellaneous receipts decreased \$783,000 to \$686,000 as a result of grant funds received in 2019 (\$546,000) from the Hudson River Greenway associated with the Empire State Trail and \$196,000 in fiber lease revenue also received in 2019. Operating expenses decreased \$402,000 mainly as a net result of: Professional fees down \$353,000 associated with a reduction in legal fees primarily from a catchup of legal fee billing in 2019 from 2017/2018, the payments to the Authority's Traffic Engineer in 2019 supporting the toll schedule revision, and the inspection cycle; Maintenance and Repairs down \$237,000 from several slightly decreased maintenance and repair categories with the largest reduction coming from road salt of \$89,000 from the mild winter of 2020; Intergovernmental was up \$123,000 associated with the department of labor costs the Authority is required to pay for the NBB deck project and other awarded contracts in the current year. Operating expenses were budgeted at \$35.9 million, which includes \$1.6 million for accrual post-employment benefits and \$1.6 million for depreciation of the Walkway Over The Hudson booked at year end. As of 9/30, \$18.8 million was spent. The Authority's five year capital plan originally budgeted \$48.1 million. As of 9/30 \$7.8 million has been spent. No action was required by the Board.

4) 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, 2021 is \$1,448,973 for the Authority's 157 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 an increase of \$3,858, or 0.3% compared to the prior year. Chair McDonald called for a motion. On a motion of Commissioner Jarvis, seconded by Commissioner Gilbert, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-119

Resolution Date: November 19, 2020

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 \$1,448,973 to the New York State and Local Retirement System for pension costs incurred for the year ending March 31, 2021; 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 19th day of November, 2020.

Tara Sullivan, Secretary

INFORMATION TECHNOLOGY:

1) System Wide UPS Battery Replacement and Preventative Maintenance BA-2020-OO-017-AC

Ms. Byrne reported to the Board that building wide Uninterruptible Power Supply (UPS) systems have been in use at each Bridge Facility and the Headquarters Complex Buildings since February 2006. These eight systems provide power conditioning and backup for the critical power feeds servicing each location. The 9170 systems are fourteen years old and it is industry practice to replace the batteries every four to five years. The last full battery replacement took place in 2016. Annual preventative maintenance is recommended for the building wide UPS systems in order to prevent failures when the systems are needed the most. The last enterprise-wide preventative maintenance took place in 2017. The batteries are the key components in the system's ability to safely and securely provide clean and uninterrupted power should our electric provider have any type of power distribution issues. The Authority submitted an RFQ through the NYS OGS Contract number PD67647 and was provided with a quote for the battery procurement. SHI supplied the Authority with the lowest acceptable price quote of \$41,164.92 for the UPS batteries. Per OGS, this award has a total of 0% participation goals for MWBE and SDVOB. This expense is identified in the Operation Department's 2020 Capital Improvement Program, project ID# SO-0011. A request for Proposal (RFP) was advertised in the New York State Contract Reporter for the Preventative Maintenance and the battery removal, disposal and installation. The Authority received three acceptable submissions for this project with Lynn Associates providing the Authority with the lowest price quote. The total cost of this procurement is \$19,645.60 and is identified in the 2020 Operation Department's Capital Improvement Program. Chair McDonald called for a motion. On a motion of Commissioner Berardi, seconded by Commissioner O'Brien, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: 020-120

Resolution Date: November 19, 2020

WHEREAS, the Board of Commissioners has reviewed the memorandum regarding the System-Wide Uninterruptible Power Supply (UPS) Batteries Replacement and Preventative Maintenance (PM) project, BA-2020-OO-017-AC; and

WHEREAS, price quotes for the batteries were obtained through the OGS request for quote (RFQ) process; and

WHEREAS, an advertisement was placed in the New York State Contract Reporter for a Request for Proposal (RFP) for the Preventative Maintenance of

the UPS systems and battery removal, disposal and replacement; and

WHEREAS, this project is identified within the approved 2020 Operations Capital Improvement Program; now therefore

BE IT RESOLVED that the Board of Commissioners approve two purchase orders be issued, one for the UPS Batteries to SHI of Somerset, NJ for a not to exceed price of \$41,164.92 and one for the installation, removal and disposal and preventative maintenance procurement to Lynn Associates of Albany, NY for a not to exceed price of \$19,654.60 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 19th day of November, 2020.

Tara Sullivan, Secretary

2) MHB Command Center Server Replacement BA-2020-RO-016-AC

Ms. Byrne indicated to the Board that in support of the Authority's Traffic and Security Mission, our Command Center Administrators are required to monitor for traffic and security incidents. In September of 2010, a New York State Contract Reporter Advertisement was placed for an Invitation for Bid (IFB) for a video wall system required to view the cameras that were installed for the ITS/Video Installation Project. The server that supports the video wall in the Command Center is now ten years old, out of warranty, and is unable to support security updates. NYSBA reached out to Cinemassive, the video wall server manufacturer, for the best path for a supported hardware and software upgrade. They supplied the specifications required to facilitate our needs. The replacement server will support our current existing video wall, projectors and TVs. A Request for Proposal (RFP) Advertisement was submitted in the New York State Contract Reporter for the project. We received three submissions for this project with Anixter Inc., providing the Authority with the lowest price quote. The Authority's MWBE-SDVOB Compliance Officer reviewed the New York State Contract System for MWBE and SDVOB participating firms that are technology capable but was unsuccessful in locating a reseller for this required manufacturer. Therefore, a formal request was submitted for the MWBE and a waiver was approved and a waiver was created for the SDVOB. The total cost of this procurement is \$153,280.00 and is identified in the 2020 Mid-Hudson Bridge Command Center Capital Program. A brief discussion followed relative to the Authority's due diligence in reaching out extensively to meet the expected 30% MWBE/SDVOB goal for the year and how much down time is anticipated. Chair McDonald called for a motion. On a motion of Commissioner O'Brien, seconded by Commissioner Berardi, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-121

Resolution Date: November 19, 2020

WHEREAS, the Board of Commissioners has reviewed the memorandum with respect to the purchase of the video wall server replacement for the Command Center at the Mid-Hudson Bridge Facility under the capital project entitled "Mid-Hudson – Command Center, ITS equipment", BA-2020-RO-016-AC; and

WHEREAS, the Authority has deemed this server necessary for the Authority's System-Wide ITS/Video monitoring system; and

WHEREAS, an advertisement was placed in the New York State Contract Reporter for an Request for Proposal (RFP) and Anixter supplied the Authority with the lowest bid; now therefore

BE IT RESOLVED that the Board of Commissioners approves that a purchase order be issued to Anixter Inc., of Glenview, Illinois for the Mid-Hudson Command Center Server Replacement Project, BA-2020-RO-016-AC totaling a not-to-exceed amount of \$153,280.00; 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 19th day of November, 2020.

Tara Sullivan, Secretary

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 was required by the Board.

2) November 2020 Traffic and Revenue Analysis

Ms. Sullivan noted for the month of November that the Authority's revenues are \$5,005,397.00 below last year's receipts (\$44,453,896 in 2020, \$49,459,293 in 2019), a decrease of 10.12%. No action was required by the Board.

3) November 2020 E-ZPass Sales Analysis

Ms. Sullivan indicated that year-to-date 2020 tag sales are 8,921 compared to 7,857 sold year-to-date 2019, an increase of 13.54%. No action was required by the Board.

4) Historic Bridges of the Hudson Valley (HBHV) Monthly Report for November 2020

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

This concluded the Regular meeting. Chair McDonald asked for a motion to adjourn. On a motion of Commissioner Jarvis, seconded by Commissioner Berardi, and approved unanimously, the Regular meeting adjourned at 3:46 p.m.

The next Regular meeting of the Board of Commissioners meeting is scheduled for December 17th at 3:00pm at Headquarters.