



**Thruway
Authority**

**BOARD OF DIRECTORS MEETING NO. 764
TUESDAY, SEPTEMBER 24, 2024
ALBANY, NEW YORK**



BOARD MEETING AGENDA

Meeting No. 764
September 24, 2024
Albany, New York

A. Public Comment Period on the Agenda Items

B. Consent Items

1. Approval of Minutes for Thruway Board of Director's Meeting No. 763
2. Review and Approval of April, May, June & July 2024 Financial Reports
3. Review and Approval of the Authority's Investment Transactions – Second Quarter 2024
4. Recommend the Appointment of BST & Co. CPAs, LLP to provide Auditing Services, approving the scope of services, the compensation terms, the terms and conditions for such firm and authorizing the Chair of the Board to execute a contract with BST & Co. CPAs, LLP for Auditing Services
5. Approval of Revisions to the Thruway Authority's Bylaws

C. Action Items

6. Appointment of Jennifer Givner as Chief Media and Government Relations Officer
7. Authorizing the Executive Director to Execute a Sixth Amendment to Agreement C100739 with Conduent State & Local Solutions, Inc. for E-ZPass New York Customer Service Center Services
8. Authorizing the Executive Director to Execute an Amendment to Agreement #C010557 with Professional Account Management, LLC, a Duncan Solutions Inc. company for Collection Services
9. Authorizing an Amendment to the Thruway Rules and Regulations in Relation to Toll Collection Processes
10. Authorizing the Sale of Real Property Located in the Town of Canaan, County of Columbia, for Less than Fair Market Value
11. Authorizing an Agreement with Telecommunication Providers for the Use of the New York State Thruway Authority's Fiber Optic System

12. Authorizing the Executive Director to Execute a First Amendment to Agreement CM02001 with Idemia Identity & Security USA LLC for Fingerprinting Services
13. Authorizing the Executive Director to Execute Amendment #2 to Contract #C010530 with Industrial Medical Associates, P.C. to provide Off-Site Occupational Medical Services for Thruway Authority Employees
14. Approve the Waiver of Competition and Authorize the Executive Director to Execute a Contract with Structural Technologies, LLC to Perform Initial Preparatory Work for Installation of a Supplemental Load Path on Governor Mario M. Cuomo Bridge
15. Authorizing Additional Funding for B776.2 Bridge Preservation for MP 29.54 - Thruway over Suffern-Mt. Ivy Route 202 in the New York Division
16. Authorizing Additional Funding for H557.1, TAS 24-1; I-90, MP 347.1 to 351.4 Pavement Rehabilitation in the Syracuse Division
17. Authorizing the Execution of Agreement D214988 with Colliers Engineering & Design CT, PC
18. Authorizing the Execution of Agreement D214989 with Prudent Engineering, LLP
19. Authorizing the Execution of Agreement D214990 with Applied Research Associates, Inc.
20. Authorizing the Execution of Agreement D214993 with Prudent Engineering, LLP
21. Authorizing the Execution of Agreement D214994 with Colliers Engineering & Design Architecture, Landscape Architecture, Surveying, CT P.C
22. Authorizing the Execution of Agreement D214999 with Henningson Durham & Richardson Architecture and Engineering, P.C.

D. Report to the Board

23. Thruway Personal Service Contracts Up to \$500,000 for the Period April 1, 2024 through June 30, 2024

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

F. Other Business

G. Adjournment

Meeting No. 764

Item 1

Appendix A

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: Julie Greco
Board Secretary

SUBJECT: Approval of Minutes of Board Meeting No. 763

Copies of the Minutes of Board Meeting No. 763 were made available to the Board Members as part of the agenda.

RECOMMENDATION

It is recommended that the Minutes of Board Meeting No. 763, held on June 11, 2024, be approved by the Board.



Board Secretary

RECOMMENDATION APPROVED:



Executive Director



**MINUTES
NEW YORK STATE THRUWAY AUTHORITY
BOARD MEETING NO. 763
June 11, 2024**

Meeting minutes of the New York State Thruway Authority was held in the Boardroom at 200 Southern Boulevard, Albany, New York.

The meeting of the New York State Thruway Authority Board opened in session for the consideration of various matters. These minutes reflect only the items considered by the New York State Thruway Authority Board.

The following Board Members were present:

Joanne M. Mahoney, Chair
Robert Megna, Vice-Chair
Norman H. Jones, Board Member
Jose Holguin-Veras, Ph.D., Board Member
Heather Briccetti Mulligan, Board Member
Joan McDonald, Board Member
Paul Tokasz, Board Member

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

Staff present:

Frank Hoare, Executive Director
Nicole Leblond, Chief of Staff
Dave Malone, Chief Financial Officer
Sandra Rivera, General Counsel
Brent Howard, Chief Engineer
Josh Klemm, Chief Information Officer
Selica Grant, Director of Administrative Services
Jennifer Givner, Director of Media Relations & Communications
Andrew Trombley, Director of Procurement Services
Diana Nebiolo, Director of Revenue Management

Keith Fragomeni, Director of Investments & Asset Management
 Sean Lasher, Information Technology Specialist
 William Hewitt, Information Technology Specialist
 Julie Greco, Board Secretary

Also Present:

Allison Bradley

Chair Mahoney called the meeting of the Thruway Authority Board to order at approximately 1:19 p.m.

Ms. Greco recorded the minutes as contained herein (public notice of the meeting had been given).

A. PUBLIC COMMENT PERIOD RELATED TO THE MEETING AGENDA (17:05)

Chair Mahoney asked Ms. Greco if there were any public comments related to the agenda items. Ms. Greco stated there were no comments.

B. CONSENT ITEMS (ITEM # 1-4) (17:22)

Item 1 by Chair Mahoney (Appendix A)
Approval of the Minutes of Meeting No. 762

Chair Mahoney asked for a motion to approve the minutes of the previous meeting. It is noted that Board Members Joan McDonald and Paul Tokasz rescued themselves from voting on the minutes from Board of Director's Meeting No. 762.

Upon motion duly made and seconded, the Board approved the minutes of Meeting No. 762 held on April 9, 2024, which were made available to the Board Members as part of the agenda.

Item 2 by Dave Malone (Appendix B)
Financial Report– February and March 2024

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

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

Upon motion duly made and seconded, the Board accepted the Financial Reports for February and March of 2024.

Item 3 by Dave Malone (Appendix C)
Approval of the Authority's Investment Transactions – First Quarter 2024

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

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

Upon motion duly made and seconded, the Board approved the Authority's Investment Transactions for the first quarter of 2024.

Item 4 by Dave Malone (Appendix D)

Approval of the Twenty Second Supplemental Resolution, Authorizing the Issuance of General Revenue Bonds, Series Q, Approving the Forms of Certain Related Documents and Authorizing an Authorized Officer to Execute Any Other Necessary Documents Related Thereto

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

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

Upon motion duly made and seconded, the Board approved this item.

C. ACTION ITEMS (ITEMS 5-16)

Item 5 by Dave Malone (Appendix E) (17:55)

Authorizing the Executive Director to Execute an Agreement with Athena Consulting LLC dba Athena Actuarial Consulting for Actuary Services

Chief Financial Officer, Dave Malone, presented the resolution to the Board to approve the authorization for the Executive Director to execute an agreement with Athena Consulting, LLC.

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

Upon motion duly made and seconded, the Board approved the authorization to execute an agreement with Athena Consulting, LLC and adopted the following resolution:

RESOLUTION NO. 6512

**AUTHORIZING THE EXECUTIVE DIRECTOR TO
ENTER INTO A CONTRACT WITH ATHENA
CONSULTING LLC D/B/A ATHENA ACTUARIAL
CONSULTING FOR ACTUARIAL SERVICES**

RESOLVED, that contingent upon the completion of vendor responsibility review and positive results, the Executive Director is authorized to enter a contract with Athena Consulting LLC d/b/a Athena Actuarial Consulting to perform actuary services for the Authority, and be it further

RESOLVED, that the Contract shall be for a term of five years for a maximum amount payable of \$73,750, 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 6 by Diana Nebiolo (Appendix F) (18:53)

Authorization to Execute a Contract with Transworld Systems (TSI) to Provide Collection Services to the Authority for Toll Related Debt

Director of Revenue Management, Diana Nebiolo, presented the resolution to the Board to authorize the Executive Director to execute an agreement with Transworld Systems, Inc. (TSI) for collection services.

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

Upon motion duly made and seconded, the Board approved the authorization to execute an agreement with TSI for collection services and adopted the following resolution:

RESOLUTION NO. 6513

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH TRANSWORLD SYSTEMS, INC. (TSI) FOR COLLECTIONS SERVICES

RESOLVED, that the Executive Director be, and he hereby is, authorized to execute an Agreement (#C010736) with Transworld Systems (TSI) to collect toll debt (“Agreement”); and be it further

RESOLVED, that such Agreement shall be for a term of two years with the option to renew for three additional one-year terms, and the monetary cap shall not exceed \$6,500,000; and be it further

RESOLVED, that the Authority’s Chief Financial Officer be, and hereby is, authorized to charge expenditures for goods and services provided pursuant to such Agreement to the Operating Budget; 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, this resolution be fully incorporated in the minutes of this meeting.

Item 7 by Sandra Rivera (Appendix G) (20:21)

Declaring Real Property Reference No. TN22-2, Located in the Village of Chestnut Ridge, Towns of Ramapo and Clarkstown, County of Rockland, as Not Necessary for the Authority's Corporate Purposes and Authorizing a Negotiated, Less than Fair Market Value Disposal

The General Counsel, Sandra Rivera, presented the resolution to the Board to approve the auction and disposal of real property (reference no. TN22-2) located in the County of Rockland.

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

Upon motion duly made and seconded, the Board approved the auction and disposal of real property (reference no. TN22-2) located in the County of Rockland and adopted the following resolution:

RESOLUTION NO. 6514

AUTHORIZING THE SALE OF REAL PROPERTY LOCATED IN THE VILLAGE OF CHESTNUT RIDGE, TOWNS OF RAMAPO AND CLARKSTOWN AND COUNTY OF ROCKLAND, FOR LESS THAN FAIR MARKET VALUE

RESOLVED, that the Board hereby finds, determines and declares that all remaining right, title and interest in and to Real Property Reference No. TN22-2 (hereinafter, "Subject Property"), as shown and delineated on Exhibits I and II attached hereto and made a part hereof, is not necessary for the

Authority's corporate purposes and, therefore, available for a negotiated, less than fair market value disposal ; and be it further

RESOLVED, that the Executive Director be, and the same hereby is, authorized to execute a purchase agreement with the County of Rockland for the Subject Property for \$1-payment waived with a clause that it will revert automatically to State ownership/Authority jurisdiction if not used for a public purpose, and on other terms and conditions deemed by General Counsel to be in the Authority's best interest; and be it further

RESOLVED, that the Chief Engineer, or his designee, be and the same hereby is, authorized to execute the SEQRA Short Environmental Assessment form and SEQRA Negative Declaration, and to distribute any required documents on behalf of the Board relative to such adoption; and be it further

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

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

Item 8 by Sandra Rivera (Appendix H) (22:53)
Authorizing the Public Auction of Real Property Located in the Town of New Paltz, Ulster County

The General Counsel, Sandra Rivera, presented the resolution to the Board to approve the auction of real property (reference no. TN23-1) located in the County of Ulster.

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

Upon motion duly made and seconded, the Board approved the public auction of real property (reference no. TN23-1) located in the County of Ulster and adopted the following resolution:

RESOLUTION NO. 6515

**AUTHORIZING THE PUBLIC AUCTION OF REAL
PROPERTY LOCATED IN TOWN OF NEW PALTZ,
ULSTER COUNTY**

RESOLVED, that the Board hereby finds, determines and declares that all remaining right, title and interest in and to Real Property Reference No. TN23-1 (hereinafter, "Subject Property"), as shown and delineated on Exhibit I attached hereto and made a part hereof, is not necessary for the Authority's corporate purposes and, therefore, available for auction; and be it further

RESOLVED, that the Office of Real Property Management is authorized to conduct a public auction (hereinafter, "Auction") of the Property at a minimum-bid amount of \$490,000; and be it further

RESOLVED, that the Executive Director be, and the same hereby is, authorized to accept the highest responsive bid that meets or exceeds the minimum bid, to memorialize such acceptance via the execution of an agreement for the sale of real

property with the highest bidder on terms and conditions deemed by General Counsel to be in the Authority's best interest, and to convey the Subject Property to such highest responsive bidder; and be it further

RESOLVED, that the Chief Engineer, or his designee, be and the same hereby is, authorized to execute the SEQRA Short Environmental Assessment form and SEQRA Negative Declaration, and to distribute any required documents on behalf of the Board relative to such adoption; and be it further

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

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

Item 9 by Josh Klemm (Appendix I) (23:53)
Authorization for an Agreement with a Telecommunications Provider for the Use of the New York State Thruway Authority's Fiber Optic System

The Chief Information Officer, Josh Klemm, presented to the Board the resolution to authorize an agreement with a telecommunications provider to use the New York State Thruway Authority's Fiber Optic System.

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

Upon motion duly made and seconded, the Board authorized the agreement for the telecommunications provider to use the Authority's fiber optic system and adopted the following resolution:

RESOLUTION NO. 6516

**AUTHORIZING AN AGREEMENT WITH
TELECOMMUNICATION PROVIDER FOR THE USE OF
THE NEW YORK STATE THRUWAY AUTHORITY'S
FIBER OPTIC SYSTEM**

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

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

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

interests of the Authority; and be it further

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

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

Item 10 by Brent Howard (Appendix J) (31:40)
Term Agreement for Architectural Design Services Primarily in Syracuse and Buffalo,
Contract No.: D214975

The Chief Engineer, Brent Howard, presented to the Board the resolution to enter into a term agreement for architectural design services in Syracuse and Buffalo New York.

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

Upon motion duly made and seconded, the Board authorized the Chief Engineer or his designee to enter into a term agreement with Colliers Engineering and Design to provide architectural design services and adopted the following resolution:

RESOLUTION NO. 6517

AUTHORIZING THE EXECUTION OF AGREEMENT D214975
WITH COLLIERS ENGINEERING & DESIGN CT, PC

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214975 with Colliers Engineering & Design CT, PC, as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2024 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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

Item 11 by Brent Howard (Appendix K) (33:24)
Term Agreement for Construction Inspection (CI) Support Services New York Division
Contract No.: D214985

The Chief Engineer, Brent Howard, presented to the Board the resolution to enter into a term agreement for construction inspection support services in the New York Division.

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

Upon motion duly made and seconded, the Board authorized the Chief Engineer or his designee to enter into an agreement with Dewberry Engineers, Inc. to provide construction inspection support services and adopted the following resolution:

RESOLUTION NO. 6518
AUTHORIZING THE EXECUTION OF AGREEMENT D214985
WITH DEWBERRY ENGINEERS, INC.

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214985 with Dewberry Engineers, Inc., as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the

terms of this Item and in accordance with the 2024 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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

Item 12 by Brent Howard (Appendix L) (35:45)
Increasing the Maximum Amount Payable and Authorizing Additional Funding for TAB 23-6/D214910, Buffalo Division: On-Demand Repair Contract - 2023 -2024

The Chief Engineer, Brent Howard, presented the resolution to the Board to authorize an increase of the maximum amount payable and additional funding for the Buffalo Division's on-demand repair contract (reference no. TAB 23-6/D214910).

It is noted that Board Members Heather Briccetti Mulligan and Paul Tokasz recused themselves from voting on this agenda item. A quorum was still in place.

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

Upon motion duly made and seconded, the Board authorized the increase of the maximum amount payable and additional funding for the Buffalo Division's on-demand repair contract (reference no. TAB 23-6/D214910) and adopted the following resolution:

RESOLUTION NO. 6519

AUTHORIZING AN INCREASE TO THE MAXIMUM AMOUNT PAYABLE AND AUTHORIZING ADDITIONAL FUNDING FOR TANY 23-6/D214910, NEW YORK DIVISION: ON-DEMAND REPAIR CONTRACT - 2023 - 2024.

RESOLVED, that \$2,054,100 in additional funding be authorized and allocated to TAB 23-6/D214910, Buffalo Division: On-Demand Repair Contract - 2023 -2024

(“Contract”) from project deferrals and bid savings from the 2024 Contracts Program, and be it further

RESOLVED, that the maximum amount payable under the Contract shall not exceed \$5,000,000 and be it further

RESOLVED, that the Chief Engineer or his designee(s) 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 13 by Brent Howard (Appendix M) (37:39)
Authorizing Funding and Schedule Change for B227.1 Buffalo Division next On-Demand Contract No.: TBD

The Chief Engineer, Brent Howard, presented the resolution to the Board to authorize additional funding and a schedule change for Buffalo Division’s next on-demand repair contract 2025-2026.

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

Upon motion duly made and seconded, the Board authorized additional funding and a schedule change for project B227.1 in the Buffalo Division and adopted the following resolution:

RESOLUTION NO. 6520

**AUTHORIZING ADDITIONAL FUNDING TITLE
CHANGE AND SCHEDULE CHANGE FOR PROJECT**

**B227.1, BUFFALO DIVISION - ON-DEMAND REPAIR
CONTRACT - 2025-2026**

RESOLVED, that Project Item (B227.1) in the amount of \$5,000,000 be accelerated in the 2024 Contract Program, and be it further

RESOLVED, that Project Item (B229.1), be authorized to change the Title of the Item to B227.1, to Buffalo Division - On-Demand Repair Contract - 2024-2026 and be it further

RESOLVED, that the scheduled letting date for B227.1 be authorized to be accelerated from the 4th Quarter of 2024 to the 3rd Quarter of 2024, and be it further

RESOLVED, that the funding be authorized for B227.1; from either project deferments and bid savings in the 2024 Contracts Program, and be it further

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

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

Item 14 by Brent Howard (Appendix N) (38:42)
Authorizing Additional Funding for Project H355.1, I-95 New England Thruway MP 604.0 to MP 608.8; Highway Rehabilitation 2024; Project B700.1 Rehabilitations and Larchmont Station Plaza Substructure; and Project B742.1 MP 219.91: Thruway Bridge Over Mohawk

The Chief Engineer, Brent Howard, presented the resolution to the Board to authorize additional funding for Project H355.1, I-95 New England Thruway MP 604.0 to MP 608.8; Highway Rehabilitation 2024; Project B700.1 Rehabilitations and Larchmont Station Plaza Substructure; and Project B742.1 MP 219.91: Thruway Bridge Over Mohawk.

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

Upon motion duly made and seconded, the Board authorized Project H355.1, I-95 New England Thruway MP 604.0 to MP 608.8; Highway Rehabilitation 2024; Project B700.1 Rehabilitations and Larchmont Station Plaza Substructure; and Project B742.1 MP 219.91: Thruway Bridge Over Mohawk and adopted the following resolution:

RESOLUTION NO. 6521

AUTHORIZING FUNDING FOR H355.1, I-95 NEW ENGLAND THRUWAY MP 604.0 TO MP 608.8; HIGHWAY REHABILITATION 2024; B700.1 REHABILITATIONS AND LARCHMONT STATION PLAZA SUBSTRUCTURE AND PROJECT AND B742.1 MP 219.91: THRUWAY BRIDGE OVER MOHAWK

RESOLVED, that the additional funding be allocated to H355.1; B700.1 and B742.1; from project deferrals and/or bid savings in the 2024 Contracts Program, and be it further

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

authorizations and suspend or terminate the contract in the best interests of the Authority, and be it further

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

Item 15 by Chair Mahoney (Appendix O) (41:13)
Recognizing and Honoring Vincent “Vinny” Giammarva

Chair Mahoney presented the resolution to the Board to recognize and honor a former Thruway employee, Vincent Giammarva, who was tragically killed in the line of duty while picking up a work zone on May 9, 2024.

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

Upon motion duly made and seconded, the Board accepted the resolution to honor Vincent Giammarva, and adopted the following resolution:

RESOLUTION NO. 6522

**RECOGNIZING AND HONORING VINCENT “VINNY”
GIAMMARVA**

WHEREAS, Vincent “Vinny” Giammarva was employed by the New York State Thruway Authority from April 7, 2005 to May 9, 2024, and

WHEREAS, Mr. Giammarva, throughout his 19-year tenure at the Thruway Authority, made significant contributions to ensuring the safe and efficient operation of the New York State Thruway for the well-being of the traveling public., and

WHEREAS, Mr. Giammarva was a loyal and dedicated Thruway Authority employee and great friend to his co-workers, now it be

RESOLVED, the New York State Thruway Authority Board hereby extends its gratitude and appreciation for his service and contributions to the Thruway Authority and the traveling public, and be it further

RESOLVED, that Mr. Giammarva's service is hereby proclaimed as meeting the very highest standards of public service, and be it further

RESOLVED, that a copy of this resolution be presented to Mr. Giammarva's family and be incorporated in the minutes of this meeting.

Item 16 by Chair Mahoney (Appendix P) (42:35)
Recognizing and Honoring Mark Vara

Chair Mahoney presented the resolution to the Board to recognize and honor Mark Vara who was seriously injured in the line of duty while picking up a work zone on May 9, 2024.

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

Upon motion duly made and seconded, the Board accepted the resolution to honor Mark Vara and adopted the following resolution:

RESOLUTION NO. 6523

RECOGNIZING AND HONORING MARK VARA

WHEREAS, Mark Vara has been gainfully employed by the New York State Thruway Authority since June 29, 2021, and

WHEREAS, Mr. Vara, throughout his nearly three-year tenure at the Thruway Authority, has made significant contributions to ensuring the safe and efficient operation of the New York State Thruway for the well-being of the traveling public, and

WHEREAS, Mr. Vara is a loyal and dedicated Thruway Authority employee and a great friend to his co-workers, now it be

RESOLVED, the New York State Thruway Authority Board hereby extends its gratitude and appreciation for his service and contributions to the Thruway Authority and the traveling public, and be it further

RESOLVED, that Mr. Vara's service is hereby proclaimed as meeting the very highest standards of public service, and be it further

RESOLVED, that a copy of this resolution be presented to Mr. Vara's family and be incorporated in the minutes of this meeting.

D. REPORT TO THE BOARD

Item 17 by Andrew Trombley (Appendix Q) (44:37)
Thruway Personal Service Contracts Up to \$500,000 for the Period January 1, 2024 to Mach 31, 2024

Andrew Trombley, Director of Procurement Services, reported to the Board the procurement contracts and other agreements up to \$500,000.00 executed by the Executive Director during January 1, 2024 through March 31, 2024.

Details of the report is included in the audio recording of the meeting.

Item 18 by Executive Director Frank Hoare (44:45)

The Executive Director, Frank Hoare, reported out on updates on the Thruway Authority.

Director Hoare acknowledged the tragic work zone accident that has devastated the families of Mr. Giammarva and Mr. Vara, as well as the Thruway employees. The Director highlighted the safety measures that are in place to avoid such accidents and the importance of drivers paying attention and slowing down in work zones.

Additionally, the Director provided an update on Thruway Authority's service area projects, work zone violations, capital planning program and investments, and personnel updates.

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

E. GENERAL PUBLIC COMMENT PERIOD FOR GENERAL MATTERS (1:01:34)

Chair Mahoney asked Ms. Greco if there were any public comments regarding general matters. Ms. Greco indicated that there was one public comment that was submitted via e-mail, which was read.

Details of the public comment period are included in the audio recording of the meeting.

F. ADJOURNMENT

There being no other business, upon motion duly made and seconded, the board voted to adjourn the meeting at 2:05 p.m.

Juliane Greco
Board Secretary

Meeting No. 764
Item 2
Appendix B

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: David Malone
Chief Financial Officer

SUBJECT: Financial Report – April, May, June, and July 2024

The Chief Financial Officer is formally submitting a copy of the Financial Report for the months of April, May, June and July 2024.

The Finance Committee considered this item at its September 24, 2024 meeting and recommended that this item be presented to the full Board for consideration.

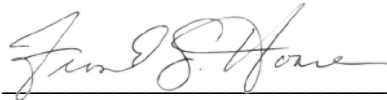
SUBMISSION:

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



Chief Financial Officer

APPROVED:



Executive Director

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

Meeting No. 764
Item 3
Appendix C

TO: The Thruway Authority Board
FROM: David Malone
Chief Financial Officer

DATE: September 24, 2024

SUBJECT: Investment Transactions – Second Quarter Investments 2024

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

The attached Exhibit A presents the details of all investments purchased during the Quarter ending June 30, 2024. The attached Exhibit B details the investments held as of June 30, 2024. These Exhibits are submitted in accordance with the Authority's Investment Policy as approved by the Board on April, 9, 2024.

The Finance Committee considered this item at its September 24, 2024, meeting and recommended that this item be presented to the full Board for consideration.

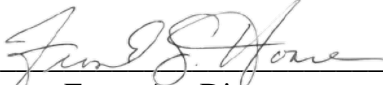
RECOMMENDATION:

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



Chief Financial Officer

RECOMMENDATION APPROVED:



Executive Director

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

Meeting No. 764
Item 4
Appendix D

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: David Malone
Chief Financial Officer

SUBJECT: Accepting the Audit Committee's Recommendation to Appoint BST & Co. CPAs, LLP to provide Auditing Services and Their Authorization of the Chair to Execute a Contract with BST & Co. CPAs, LLP for Auditing Services.

The Authority retains the services of an independent public accountant to perform various auditing services to comply with current law, resolutions and recommendations. Currently, the Authority has an agreement with BST & Co. CPAs, LLP (BST) to perform said services. The Authority entered into the current contract with BST on December 1, 2019, for a three-year term with an option to renew the contract for one additional two-year term. The optional renewal has been exercised and the current agreement expires on November 30, 2024.

The Authority issued a Request for Proposal (RFP) for required and optional auditing services on April 29, 2024. The specific scope of the required and optional services can be found in Article 1 of the proposed agreement attached as Exhibit 1. The RFP indicated that the Authority intended to enter into an agreement for these services for a three-year term with an option to extend the agreement for one additional two-year term. The RFP established the criteria by which proposals would be evaluated. A weighting committee representing the Department of Finance and Accounts, Department of Audit & Management Services and Legal Department determined the weight for each criterion.

An RFP Announcement was sent to two hundred and sixty-eight (268) potential Contractors on the issue date of April 29, 2024 and twenty-one (21) potential Contractors downloaded the RFP from the Authority's website.

Meeting No.	764
Item	4
Appendix	D

Five (5) proposals were received by the due date of June 10, 2024. An Evaluation Committee comprised of Authority staff representing the Department of Finance and Accounts and the Department of Audit and Management Services evaluated the proposals in accordance with the criteria set forth in the RFP. One (1) proposal was deemed non-responsive for not submitting a copy of their certified public accounting Numerical evaluation standards were provided and used by the Evaluation Committee to assist the evaluation process and to assure continuity and evenhandedness in approach. After the evaluations of the remaining four (4) proposals was concluded, the Bureau of Purchasing applied the previously established weights to the raw scores submitted by the Evaluation Committee. The Non-Engineering Personal Services Committee found that the best interests of the Authority would be served by entering into an agreement with BST, the firm having the highest weighted score.

BST is a regional certified public accounting firm with headquarters in Albany, NY. BST has decades of government auditing experience including audits of public authorities, as well as NYS state agencies, counties, cities, villages and other governmental entities. The firm has 20 partners and a total staff in excess of 100 employees. The staff they have proposed to perform our audit have experience auditing complex governmental entities, similar to and including the Authority. The RFP included an M/WBE participation goal of 30%. BST has submitted an M/WBE Utilization Plan with it proposal to meet this goal.

The Purchasing Bureau has undertaken an affirmative review of the proposed contractor's responsibility and has reasonable assurance that the proposed contractor is responsible.

Meeting No. 764
Item 4
Appendix D

At its September 24, 2024 meeting the Audit Committee recommended BST & Co. CPAs, LLP to provide Auditing Services to the Authority, approved the scope of services, the compensation terms and the terms and conditions for such auditor as set forth in the form of the agreement attached hereto as Exhibit 1. In addition, the Audit Committee authorized the Chair of the Board to negotiate and enter into an agreement with BST & Co. CPAs, LLP.

The initial contract term is for three years with the option to renew for one additional two-year term. BST's fee schedule contains a maximum annual fee ranging from \$123,400 to \$133,600 per year to provide the Required Services for all five years covered by the RFP and their average blended rate is \$189 per hour. BST's maximum fee for all five years is \$791,900, consisting of \$641,900 for Required Services and \$150,000 for Optional Services. BST's maximum fee for the initial three-year term is \$527,600, consisting of \$377,600 for Required Services and \$150,000 for Optional Services.

Since this amount exceeds \$200,000 Board approval is required.

RECOMMENDATION:

It is recommended that the Board Accept the Audit Committee's recommendation to Appoint BST & CO. CPAs, LLP and their Authorizations and adopt the following resolution:

RESOLUTION NO. 6524

ACCEPTING THE AUDIT COMMITTEE'S
RECOMMENDATION TO APPOINT BST & CO. CPAs, LLP TO
PROVIDE AUDITING SERVICES AND THEIR
AUTHORIZATION OF THE CHAIR TO EXECUTE A
CONTRACT WITH BST & CO. CPAs, LLP FOR AUDIT
SERVICES

RESOLVED, that the Board hereby accepts the Audit Committee recommendation to appoint BST & Co. CPAs, LLP to serve as the Authority's independent auditor, and be it further

RESOLVED, that the Board hereby approves the scope of services, the compensation terms and the terms and conditions for such auditor contained in the form of agreement attached hereto as Exhibit 1, and be it further

RESOLVED, the Chair of the Board be, and hereby is, authorized to enter into an agreement with BST & Co. CPAs, LLP for professional auditing services for a three-year term with a monetary cap of \$527,600, and be it further

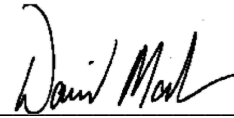
RESOLVED, that the Chair of the Board, after consultation with the Audit Committee, Executive Director and Chief Financial Officer, is hereby authorized to exercise the Authority's option to extend the agreement for one additional two-year term, with a maximum overall contract cap not to exceed \$791,900, if services provided by BST & Co. CPAs, LLP during the initial three-year term of the agreement are satisfactory, and be it further

RESOLVED, that the Chair of the Board or her designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the contract to manage and administer the contract, amend the provisions of the contract

Meeting No. 764
Item 4
Appendix D

consistent with the terms of this item and other Audit Committee 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.



Chief Financial Officer

RECOMMENDATION APPROVED:



Executive Director

Please refer to Item # 2
in the Audit Committee
Meeting Book

Meeting No. 764
Item 5
Appendix E

TO: The Thruway Authority Board
FROM: Sandra Rivera
General Counsel

SUBJECT: Review and Approval of the Bylaws

For review and approval by the Board are changes to the Authority’s Bylaws. Changes to the Bylaws change the titles of most of the Department heads from “Director” to “Chief”, which is consistent with similar public authorities and other current titles of Authority department heads. Additionally, the Department of Department of Media and Government Relations is created as a new Department. The new Department of Media and Government Relations would have the duties of customer information, media relations, public affairs and government relations. Under the current Bylaws, these functions are under the Chief of Staff or Legal Department.

The Governance Committee considered this item at its September 27, 2024 meeting and recommended that this item be presented to the full Board for consideration.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6525

REVIEW AND APPROVAL OF BYLAWS

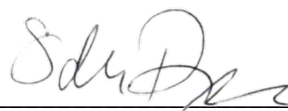
RESOLVED, that the Authority’s Bylaws, as contained in Exhibit A, be, and the same hereby are, approved,

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

Meeting No. 764

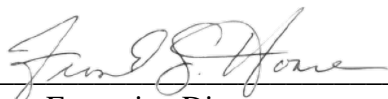
Item 5

Appendix E



General Counsel

RECOMMENDATION APPROVED:



Executive Director

Please refer to Item # 2
in the Governance
Committee Meeting
Book

Meeting No 764
Item 6
Appendix F

To: The Thruway Authority Board
From: Frank G. Hoare, Executive Director
Subject: Staff Appointment of Jennifer Givner as Chief Media & Government Relations Officer

The newly created Department of Media and Government Relations is responsible for customer information, media relations, public affairs and government relations. The head of the Department is the Chief Media & Government Relations Officer.

I recommend Jennifer Givner be appointed to the position effective, September 24, 2024, at a Salary Grade 34, with an annual salary of \$183,100. Ms. Givner has been in charge of the duties to be performed by the Department of Media and Government Relations since her appointment at the Authority in 2015.

RECOMMENDATION:

It is recommended the Board adopt the following resolution:

RESOLUTION NO. 6526

STAFF APPOINTMENT OF JENNIFER GIVNER AS
CHIEF MEDIA & GOVERNMENT RELATIONS OFFICER

RESOLVED, that the Board hereby appoints Jennifer Givner as Chief Media & Government Relations Officer, effective September 24, 2024 at Salary Grade 34 with an annual salary of \$183,100, for which funds are available in the 2024 Operating Budget, and it be further

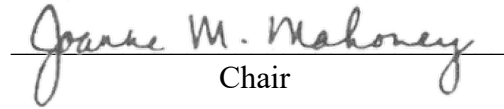
RESOLVED, that this resolution be incorporated in the minutes of this meeting.

Meeting No 764
Item 6
Appendix F



Executive Director

RECOMMENDATION APPROVED:



Chair

Meeting No. 764
Item 7
Appendix G

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: Diana Nebiolo
Director of Revenue Management

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

On January 17, 2007, at Meeting No. 656, the Board adopted Resolution No. 5571 which authorized the Executive Director to execute an Agreement with ACS State & Local Solutions, Inc., (now Conduent State & Local Solutions, Inc., and hereinafter referred to as Conduent), for E-ZPass New York Customer Service Center (CSC) services. On June 6, 2016, at Meeting No. 720, the Board adopted Resolution No. 6095 to exercise the three-year option and to increase the maximum amount payable to \$274,450,000 for the E-ZPass program and Tolls by Mail program related to the Governor Mario M. Cuomo Bridge cashless tolling conversion. On June 12, 2018 at Meeting No. 734, the Board adopted Resolution No. 6178 which authorized the Executive Director to increase the maximum amount payable to \$298,950,000 to support cashless tolling expansion at the seven toll barriers located in the lower Hudson Valley and Grand Island. On March 30, 2020, at Meeting No. 743, the Board adopted Resolution No. 6246 which authorized the Executive Director to extend the Agreement for two (2) years with an option for a 1-year extension and increase the maximum amount payable by \$139,000,000 to support cashless tolling expansion on the Mainline and Erie Section of the Thruway.

On June 30, 2021, at Meeting No. 749, the Board adopted Resolutions Nos. 6309, 6310, 6311 which authorized the Executive Director to enter into three separate agreements with Conduent, Faneuil, Inc. (transferred to TTEC Government Solutions, LLC) and TransCore LP to develop and operate the New York E-ZPass and Tolls by Mail Customer Service Center.

Meeting No.	764
Item	7
Appendix	G

On June 6, 2022, at Meeting No. 754, the Board adopted Resolution No. 6361 which authorized an extension from October 5, 2022 to February 29, 2024 with an increase to the maximum amount payable by \$75,000,000 to a total of \$512,950,000.

On January 29, 2024, at Meeting No. 761, the Board adopted Resolution No. 6484 which extended the term of the Agreement by eight months to September 30, 2024.

The implementation of the new back-office system for cashless tolling is delayed. It is imperative to maintain the existing Legacy system to operate cashless tolling until such time that the new system is live and stable.

This item seeks Board authorization to extend the term of the Agreement from September 30, 2024 to March 31, 2025 and increase the maximum amount payable by \$22,000,000 to \$534,950,000.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6527

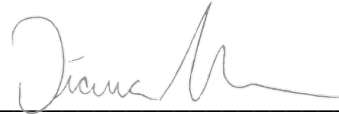
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE
A SIXTH AMENDMENT TO AGREEMENT C100739 WITH
CONDUENT STATE & LOCAL SOLUTIONS, INC. FOR
E-ZPASS NEW YORK CUSTOMER SERVICE CENTER
SERVICES

RESOLVED, that the term shall be extended until
March 31, 2025, for Agreement C100739 with Conduent State
& Local Solutions Inc., for E-ZPass New York Customer
Center Services; and be it further

RESOLVED, that the maximum amount payable for the Agreement is increased by \$22,000,000 to \$534,950,000, and shall be on such other terms and conditions as the Executive Director, Director of Revenue Management, and General Counsel determine to be in the best interests of the Authority; and be it further

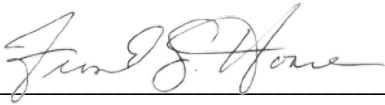
RESOLVED, that the Authority's Chief Financial Officer be, and hereby is, authorized to charge expenditures for services rendered pursuant to such Agreement to the Operating Budget; and be it further

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



Director of Revenue Management

RECOMMENDATION APPROVED:



Executive Director

system, TSI will not be onboarded until after that system integration is complete (estimated Q2 of 2025). Duncan will continue to collect debt on behalf of the Authority until TSI takes over collection services.

This item seeks Board authorization to increase the maximum amount payable to Duncan by \$4,400,000 to \$12,200,000. This will ensure continued collection of monies owed to the Authority with no gap.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6528

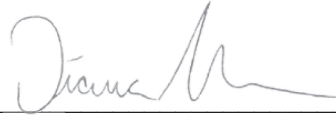
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE
AN AMENDMENT TO THE AGREEMENT #C010557
WITH PROFESSIONAL ACCOUNT MANAGEMENT, LLC FOR
COLLECTION SERVICES

RESOLVED, that the maximum amount payable for Agreement #C010557 with Professional Account Management, LLC for Collection Services is increased by \$4,400,000 to \$12,200,000, and shall be on such other terms and conditions as the Executive Director and General Counsel determine to be in the best interests of the Authority; and be it further

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

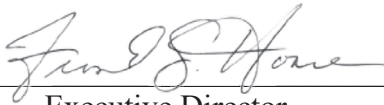
RESOLVED, that this resolution be incorporated in the minutes of this meeting.

Meeting No. 764
Item 8
Appendix H



Director of Revenue Management

RECOMMENDATION APPROVED:



Executive Director

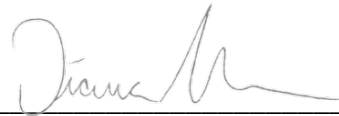
RESOLUTION NO. 6529

**AUTHORIZING AN AMENDMENT TO THE THRUWAY
RULES AND REGULATIONS IN RELATION TO TOLL
COLLECTION PROCESSES**

RESOLVED, that the Board approves the proposed amendments to the Authority's toll collection regulations as presented in Exhibit 1 attached hereto and authorizes the Executive Director, or the Executive Director's designee, to take all actions necessary for adoption of such amendments in accordance with the SAPA and any other applicable statutes, policies and procedures, and be it further

RESOLVED, that the Executive Director is authorized to make modifications to such amendments as the Executive Director deems appropriate in response to any comments that may be made during the adoption process conducted in accordance with the SAPA and any other applicable statutes, policies and procedures, and it further

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



Director, Revenue Management

RECOMMENDATION APPROVED:



Executive Director

Section 101.3 is repealed and a new section 101.3 and 102.9 are added to Title 21.

Section 101.3. Related toll rules.

(a) Use of the Thruway System, unless otherwise authorized by the Thruway Authority, shall be subject to the toll schedules and fees established by the Thruway Authority pursuant to 21 NYCRR Part 101 and collected through any of the following methods:

(1) An E-ZPass tag;

(2) Tolls by Mail, where an invoice based on license plate images or videos is sent to the vehicle's registered owner as indicated in motor vehicle registration records or address for mailing and/or electronic communication as updated by the owner; or

(3) Other technology which identifies a vehicle by photographic, electronic or other method, as authorized by the Thruway Authority.

(b) Use of the Thruway System shall be permitted only upon the payment of such tolls and other charges and under such circumstances as may from time to time be prescribed by the Thruway Authority. The evasion, nonpayment, payment in other than lawful currency, payment of less than the full amount required or other failure to comply with the published toll rates or tolls for any reason along the Thruway system is prohibited. The owner, as defined in Public Authorities Law section 2985(3) or Public Authorities Law section 2985-a(2)(b), of any vehicle or vehicle type using the Thruway System without paying the toll prescribed by the Thruway Authority in the manner established for the collection of such toll commits a violation of toll collection regulations.

(c) Entering or leaving the controlled system except through Thruway interchanges (unless otherwise authorized by the Thruway Authority), is prohibited. Vehicles for which there is no record of entering shall be charged the toll for the appropriate vehicle classification from the most distant interchange of the controlled system at the Tolls by Mail rate.

(d) Payment of tolls by E-ZPass shall be made by means of a properly mounted E-ZPass tag of the proper class that is classified as valid at the time of the toll transaction. For each such transaction that requires an image to be captured and processed, the owner shall be charged the full undiscounted toll at the Tolls by Mail rate. Nothing in this section shall be construed to limit the liability of an E-ZPass account holder for administrative violation fees established and imposed by the E-ZPass agreement for failure to pay tolls by means of a properly mounted E-ZPass Tag of the proper class that is classified as valid at the time of the transaction.

(e) Payment of tolls through Tolls by Mail, shall be made in the manner established for the collection of such tolls, including in the toll bill sent by the Thruway Authority or its authorized representative. Nothing in this section shall be construed to limit the liability of a Tolls by Mail account holder for administrative violation fees established and imposed by the applicable Tolls by Mail account agreement for failure to pay the tolls in the manner established for the collection of such tolls. The owner shall have thirty days from the date of the toll bill to pay the incurred toll. The toll bill shall include: the total amount of the incurred tolls due; the date by which payment of the incurred tolls is due; any administrative fees; the address for receipt of payment and methods of payment for the toll; the procedure for contesting any toll and the contact

information for the Thruway Authority's toll payer advocate office and customer service center; information related to the failure to timely pay or respond to the notice of liability, in addition to the possibility that a judgment can be entered for repeat unpaid liabilities that could lead to a vehicle being towed or immobilized; a website address or hyperlink for the owner to access time-stamped photographs or footage of each toll incurred by electronic means; information related to the availability of the Thruway Authority toll payer advocate to discuss payment options; and other information required by law or by the Thruway Authority. Each toll bill shall identify the date, time, location, license plate number, and jurisdiction of the license plate for each toll that has been incurred. Each toll bill shall include an image of the license plate of the vehicle being used or operated on the toll facility. If the owner fails to pay the initial toll bill, a second toll bill shall be sent in the next billing cycle, which shall also indicate the overdue toll or tolls and any administrative or late fees due.

(f) The owner of any vehicle which violates toll collection regulations without paying the charge prescribed by the Thruway Authority shall be liable to the Thruway Authority for an administrative fee, known as the toll violation fee, in the amount up to \$100.00 for each such toll violation unless a fee of less than \$100.00 is set by the Thruway Authority in its sole discretion. The toll violation fee shall be in addition to the applicable toll and any fines and penalties otherwise prescribed by law or by agreement. The individual or business alleged to be liable for each toll violation as owner shall be liable for each unpaid toll and toll violation fee unless such unpaid toll and/or toll violation fee has been dismissed or there has been a Transfer of Responsibility as provided pursuant to public authorities law sections 2985 or 2985-a; or after payment of such toll, the toll violation fee has been dismissed or reduced under any applicable Fee Waiver Policy adopted by the Thruway Authority. Such owners who fail to pay each toll and toll violation fee in response to a Notice of Liability or Notice of Violation may also have their vehicle registrations suspended and/or not renewed under vehicle and traffic law section 510 and/or 15 nycrr 127 or other related regulations.

(g)(i) For Tolls by Mail transactions where a toll violation fee is assessed, a Notice of Violation shall be sent by the Thruway Authority or its authorized agent ("Authorized Agent") to the individual or business alleged to be liable for the toll violation as owner and shall contain date, time, location, license plate number, and jurisdiction of the license plate for each unpaid toll that has been incurred. A notice of violation shall also include the total amount of unpaid tolls and violation fees due; the date by which payment of the tolls and violation fees is due; the address for receipt of payment and methods of payment for the toll; the procedure for contesting any toll and the contact information for the Thruway Authority's toll payer advocate office and customer service center; information related to the failure to timely pay or respond to the notice of violation, in addition to the possibility that a judgment can be entered for repeat unpaid liabilities that could lead to a vehicle being towed or immobilized; a website address or hyperlink for the owner to access time-stamped photographs or footage of each toll incurred by electronic means; information related to the availability of the toll payer advocate to discuss payment options; and other information required by law or the Thruway Authority.

(ii) The individual or business alleged to be liable for the toll violation as owner may dispute the violation by submitting a Declaration of Dispute to the Authorized Agent in the manner established

in the Notice of Violation and such toll violation and associated toll violation fee shall be dismissed if such individual or business provides a certification that:

(1) The individual or business was not the registered owner of the vehicle at the time of the toll transaction that forms the basis of such alleged violation and submits to the Authorized Agent:

- (i) a copy of the plate surrender receipt from the Department of Motor Vehicles;
- (ii) proof of sale of the vehicle;
- (iii) a copy of the report to a law enforcement agency that the plate was lost; and/or (iv) a copy of the report to a law enforcement agency that the vehicle was stolen; or

(2) The toll was paid by E-ZPass and the toll posted to an E-ZPass Account and submits to the Authorized Agent a copy of the E-ZPass statement showing the toll posting; or

(3) The registered owner's vehicle was not present at the facility at the time of the violation(s); or

(4) for other good cause shown, which in the discretion of the Thruway Authority, constitutes a reasonable basis for dismissal.

(iii) The Authorized Agent shall send the owner a written determination of the Declaration of Dispute. The owner may request a review by the Thruway Authority of the Authorized Agent's determination of the Declaration of Dispute by submitting a Request for Review to the Thruway Authority in the matter established in the Authorized Agent's written determination of the Declaration of Dispute. The Authorized Agent's determination of the Declaration of Dispute under shall be final and binding on the owner unless overturned by the Thruway Authority upon review and in the Thruway Authority's sole discretion. The Thruway Authority's determination of the owner's Request for Administrative Review shall be final and binding on the owner unless overturned by a Court of competent jurisdiction of the State of New York, County of Albany, under Article 78 of the New York Civil Practice Law and Rules.

Section 102.9 Exclusion of Vehicles from Thruway System for Non-Compliance.

The use of the Thruway System by any vehicle or vehicle type shall be and shall be deemed to be conditioned upon payment of the prescribed tolls and upon observance of the rules and regulations of the Thruway Authority. All rights, privileges, licenses and permits, express or implied, for the use of the Thruway System by any vehicle or other vehicle type, granted by the Thruway Authority, shall be and shall be deemed to be revocable, and each such right, privilege, license or permit, at the option of the Thruway Authority, shall be and shall be deemed to be revoked and cancelled by and upon the breach of any rule or regulation or of violation of any applicable laws or ordinances while in or upon the Thruway System. Vehicles violating any of the rules and regulations of the Thruway Authority, as well as other vehicles or vehicle types owned or operated by the owner and/or operator of such vehicles or types, may be excluded from the Thruway System permanently or for a specified time. Violators of such rules and regulations shall be subject to the penalties made and provided in these regulations and statutes of the State of New York.

Meeting No. 764
Item 10
Appendix J

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: Sandra D. Rivera
General Counsel

SUBJECT: Authorizing the Sale of Real Property Located in the Town of Canaan, County of Columbia, for Less than Fair Market Value.

TRANSACTION:

Proposed is the sale of Real Property Reference No. TA24-1 (hereinafter, "Subject Property"), via a negotiated, less than fair market value disposal. This transaction will convey the Subject Property to the Town of Canaan for \$1-payment waived with a clause that it will revert automatically to State ownership/Authority jurisdiction if not used for a public purpose.

PROPERTY DESCRIPTION:

The Subject Property is an irregular configured landlocked parcel, comprised of 2.222± acres, and is improved with a gravel road and asphalt circulation area. It is situated west of the eastbound off ramp at Exit B3 of the Berkshire Section of the Thruway (I-90) near mile post 23.3± in the Town of Canaan, County of Columbia, and is adjacent and west of the NYS Route 22 Connector Road, as shown on the attached survey map and aerial site sketch attached hereto as Exhibit I. Access to the Subject Property over the Connector Road is currently prohibited and there is no access to the parcel from the Thruway.

FORMER USE AND PRESUMED INTENDED USE:

The Subject Property is currently vacant and was formerly Grub Chuck Road, which was severed by the Thruway upon its acquisition in 1957. The Town plans to construct a public thoroughfare to promote economic development.

Meeting No.	764
Item	10
Appendix	J

VALUATION:

In accordance with the Authority's Real Property Management Policy and Office of the Comptroller requirements, the value of the Subject Property was independently appraised by one appraisal consultant although the Subject Property will be disposed for \$1-payment waived. In a review appraisal conducted by staff from the Office of Real Property Management (hereinafter, "ORPM"), the appraiser's estimate of value was found to be justified, defensible and soundly reasoned. ORPM recommends the fair market value to be \$60,000 for the Subject Property.

OTHER INTEREST:

In the past, property owners of the adjacent parcels have expressed interest in the parcel to gain access to their properties. These property owners include B3 Properties, Inc., Mohammed Shoaib, Corp., Norton Properties, LLC and NYSDEC. To accommodate the multiple access points would have required granting different breaks in access along with easements to reach the Route 22 connector. This would have been difficult to effectuate and resulted in diminished value of the remaining fee property, which the Authority would still have an obligation to maintain. The Town is best suited to address the access issues by creating a public road and promote possible development along the parcel as this falls outside of the Thruway's mission. Selling the property also relieves the Authority the burden of ownership of a property for which it has no current or future use.

APPROVAL PROCESS:

The Subject Property was deemed to be appropriate for disposal via for a negotiated, less than fair market disposal under a transactional analysis and recommendation. Based upon the aforementioned valuation, ORPM staff has recommended that the Executive Director be

Meeting No.	764
Item	10
Appendix	J

authorized to execute a purchase agreement with the Town, a municipal corporation and a political subdivision of the State, for a negotiated, less than fair market disposal of the Subject Property for \$1-payment waived with a reversion clause requiring the Subject Property to be utilized for public purposes.

In accordance with the Thruway Real Property Management Policy, such purchase agreement would be subject to approval by the Office of Attorney General and any required filing with or approval by the Office of the State Comptroller. The Office of Attorney General would prepare a deed that would be delivered.

GENERAL COUNSEL’S CERTIFICATION:

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

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

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6530

AUTHORIZING REAL PROPERTY LOCATED IN THE TOWN
OF CANAAN AND COUNTY OF COLUMBIA, FOR LESS
THAN FAIR MARKET VALUE DISPOSAL

RESOLVED, that the Board hereby finds, determines and declares that all remaining right, title and interest in and to Real Property Reference No. TA24-1 (hereinafter, "Subject Property"), as shown and delineated on Exhibit I and attached hereto and made a part hereof, is not necessary for the Authority's corporate purposes and, therefore, available for a negotiated, less than fair market value disposal; and be it further

RESOLVED, that the Executive Director be, and the same hereby is, authorized to execute a purchase agreement with the Town of Canaan for the Subject Property for \$1-payment waived with a clause that it will revert automatically to State ownership/Authority jurisdiction if not used for a public purpose, and on other terms and conditions deemed by General Counsel to be in the Authority's best interest; and be it further

RESOLVED, that the Chief Engineer, or his designee, be and the same hereby is, authorized to execute the SEQRA Short Environmental Assessment form and SEQRA Negative Declaration, and to distribute any required documents on behalf of the Board relative to such adoption; and be it further

RESOLVED, that the Executive Director, Chief Engineer, Chief Financial Officer, and General Counsel be, and the same

Meeting No. 764
Item 10
Appendix J

hereby are, authorized to take all steps necessary to implement this
Board action; and be it further

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

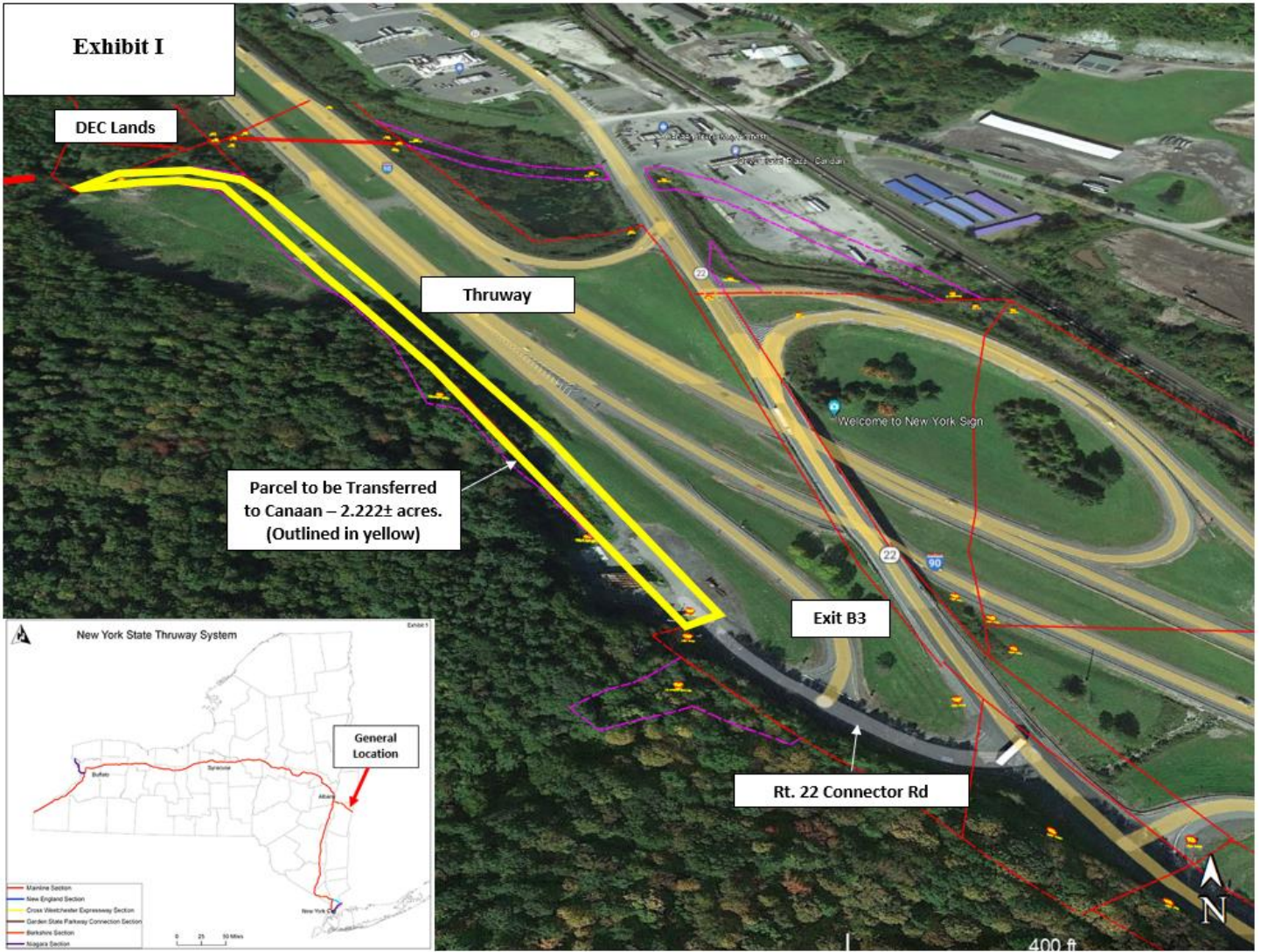


General Counsel

RECOMMENDATION APPROVED:



Executive Director



Meeting No. 764
Item 11
Appendix K

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: Joshua Klemm
Chief Information Officer

SUBJECT: Authorizing an Agreement with Telecommunication Provider for the Use of the New York State Thruway Authority's Fiber Optic System.

The following telecommunication providers ("Users") have requested the use of the New York State Thruway Authority's ("Authority") fiber optic system ("System") for their own use: Crown Castle Fiber LLC ("Crown Castle") and AT&T Corporation ("AT&T"). The assets to be leased to the Users are detailed in Exhibits 2 and 3. Total fees payable by the Users to the Authority are \$6,520,779.89 and the breakdown of such is contained in Exhibit 1.

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

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

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

In addition, it is recommended the Chief Information Officer ("CIO") be delegated the authority to make all necessary decisions pursuant to SEQRA¹ as needed to execute and administer the Agreements, and any future agreements relative to any use of the System.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6531

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

RESOLVED, that agreements with the telecommunication providers set forth in this agenda item for the use and maintenance of the Authority's fiber optic system ("System") on the terms and

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

conditions contained in the agenda item and such other terms as are deemed to be in the best interest of the Authority by the Chief Information Officer (“CIO”), the General Counsel and the Chief Financial Officer, be, and hereby are, authorized, and be it further

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

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

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

RESOLVED, that this resolution be incorporated in full in

Meeting No. 764
Item 11
Appendix K

the minutes of this meeting.



Chief Information Officer

RECOMMENDATION APPROVED:



Executive Director

Exhibit 1



NEW Fiber Users Planning to Execute IRU Agreements

User	Contract Number	Lease Term (Years)	Lease Fee (One-Time)	First-Year Maintenance Fee (Annual)	First-Year Regen Bldg. Space Leased Space Fee (Annual)	Adesta Marketing Services Fee (27% of One-Time Fee)	Estimated Lease Term Agreement Value
Crown Castle	X010738	5	\$ 33,120.00	\$ -	\$ -	\$ 8,942.40	\$ 33,120.00
Totals for NEW Fiber Customers:			\$ 33,120.00	\$ -	\$ -	\$ 8,942.40	\$ 33,120.00

NEW Duct Users Planning to Execute IRU Agreements

User	Contract Number	Lease Term (Years)	Lease Fee (One-Time)	First Year Maintenance Fee (Annual)	First-Year Regen Bldg. Space Leased Space Fee (Annual)	Adesta Marketing Services Fee (27% of One-Time Fee)	Estimated Lease Term Agreement Value
AT&T (New Paltz to Albany)	X010742	30	\$ 5,229,765.90	\$ 26,440.00	\$ -	\$ 1,412,036.79	\$ 6,487,659.89
Totals for NEW Duct Users:			\$ 5,229,765.90	\$ 26,440.00	\$ -	\$ 1,412,036.79	\$ 6,487,659.89

Total for NEW fiber and duct users: \$ 5,262,885.90 \$ 26,440.00 \$ - \$ 1,420,979.19 \$ 6,520,779.89

Total Lease Fee, 1st year Maint. Fee & 1st year Regen Bldg. Space Fee: \$ 5,289,325.90



Exhibit 2

Crown Castle Fiber LLC

(5-Year IRU)



Memorandum

To: Finance Committee for Fiber Optics Date: June 27, 2024
From: Caitlin Cady Subject: Telecommunications Customer Agreement with Crown Castle Fiber LLC Contract # X010738

This is a notification of the proposed fees and charges for a telecommunications customer agreement with Crown Castle Fiber LLC ("Crown Castle"). A Board agenda item for this agreement will be processed and presented to the Board at the September 24, 2024 Board meeting. If you have any questions or need additional information, do not hesitate to contact me at extension x3061.

BACKGROUND:

Crown Castle has requested a lease agreement for use of the System. The lease proposal will be in accordance with Public Authorities Law Section 2897 (6)(f). The set fees described in the Law and included in the proposal has been determined by an independent appraisal by CBRE of the fair market value of the Authority's fiber optic network. The pricing recommendations included in the Asset Evaluation Report for Alternate Length Terms for the Governor Mario M. Cuomo Bridge (GMMCB) prepared by CBRE was approved by the Finance Committee for Fiber Optics on August 10, 2022. The asset valuation report is attached for your reference.

In coordination with the Authority's Legal department, Adesta has provided marketing services in accordance with a Settlement Agreement and has drafted the IRU agreements for the telecom customers. The agreement with Crown Castle is in the process of being finalized; however, the proposed fees are final.

PROPOSAL SUMMARY:

The summary below includes the fees, lease term in years, the assets to be leased and the egress connections for the user.

Term: Commences on the Acceptance Date and ends five (5) years thereafter.

User Route and User Fibers

The User Route consists of the following segments:

Fiber Segments

Table with 7 columns: Description, Number of Fibers, Route Miles, User Fee Per Fiber Mile, User Fee (5 Year Term), First Year Annual Maintenance Fee per Route Mile, First Year Annual Maintenance Fee. Rows include Cuomo Bridge Crossing and Total.

User Regen Space

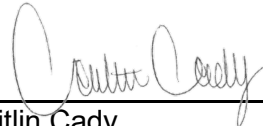
Egress Connections

Milepost Marker	Egress Description
13.0	HH 16-34.1 @ Van Wart Ave Tarrytown NY
16.45	HH 16-43 @ S. Broadway Nyack NY

In accordance with the User Agreement for Fiber in progress between Crown Castle and the Authority, the following are the fees and charges that are applicable to this agreement:

- One-Time Use Fee: \$33,120
- Annual Maintenance Fee: N/A
- Annual Regen Facility Fee: N/A
- Monthly Electric Power Fee: N/A

In accordance with the Settlement agreement, the Authority is required to pay Adesta a Marketing Services Fee of 27% of the One-Time Use Fee. For this agreement with Crown Castle the Marketing Services Fee to be paid to Adesta is \$8,942.40.



Caitlin Cady
Contract Management Specialist 2



Exhibit 3

AT&T Corp.

(30-Year IRU)

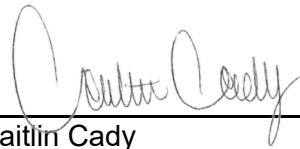
In accordance with the User Agreement for Innerduct in progress between AT&T and the Authority, the following are the fees and charges that are applicable to this agreement:

- One-Time Use Fee: \$5,229,765.90
- Annual Maintenance Fee: \$26,440
Escalated annually using the lesser of the year-over-year CPI or 3%, but in no event less than 0.
- Monthly Electric Power Fee:

$$\text{Electric Power Fee} = \text{Utility Charges} \times \frac{\text{User Regen Space (sq. ft)}}{\text{Total Leased Space (sq. ft)}} \times 120\%$$

The total estimated Lease Agreement value (30 years) is \$ 6,487,659.89

In accordance with the Settlement agreement, the Authority is required to pay Adesta a Marketing Services Fee of 27% of the One-Time Use Fee. For this agreement with AT&T the Marketing Services Fee to be paid to Adesta is \$1,412,036.79.



Caitlin Cady
Contract Management Specialist 2

Meeting No. 764
Item 12
Appendix L

TO: The Thruway Authority Board
DATE: September 24, 2024
FROM: Selica Y. Grant, Esq.
Director of Administrative Services
SUBJECT: Authorizing the Executive Director to Execute a First Amendment to Agreement CM02001 with Idemia Identity & Security USA LLC for Fingerprinting Services

This Board Item seeks approval for the Authority to enter into an extension with Idemia Identity & Security USA LLC for Fingerprinting Services.

This contract provides the Authority with fingerprinting services that are required for hiring employees for various titles. The fingerprints are submitted to New York State Division of Criminal Justice Services (“DCJS”) for a review which is uploaded to a queue that the Authority can get the results from. DCJS contracted with Idemia for a vendor owned and managed civil fingerprint capture system which has eliminated the need for State governmental agency owned and operated fingerprint capture systems. Idemia was originally selected on a single source basis as they were the awarded vendor resulting from DCJS’s RFP #CJS2015-02, which solicited proposals from qualified contractors to perform vendor managed civil fingerprint capture system services. This has reduced redundancy of effort and resources and has resulted in improvement of quality and security of civil fingerprints, photographs and data submitted to DCJS by participating agencies. The Authority was able to utilize DCJS’s contract #CM02001 with Idemia to execute a single source contract for the same services.

The Authority’s contract with Idemia is due to expire on January 30, 2025. This proposed amendment will extend the term of the agreement to February 1, 2026, which is the expiration date of the DCJS contract. Continuing to engage Idemia in the procurement of the fingerprinting

Meeting No.	764
Item	12
Appendix	L

services is in the best interest of the Authority as it will ensure the Authority remains compliant with the fingerprinting requirements for hiring employees.

This item seeks Board authorization to extend the agreement for one year and two days. There will be no increase in the maximum amount payable.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

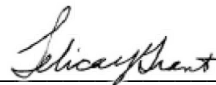
RESOLUTION NO. 6532

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AMENDMENT WITH IDEMIA IDENTITY & SECURITY USA LLC, AGREEMENT CM02001 FOR FINGERPRINTING SERVICES

RESOLVED, that the Executive Director or designee is authorized to execute a First Amendment to Agreement CM02001 to extend the term of the agreement until February 1, 2026, with Idemia Identity & Security USA LLC, for fingerprinting services; and be it further

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

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



Director of Administrative Services

RECOMMENDATION APPROVED:



Executive Director



Memorandum

To: Non-Engineering Personal Services Committee Date: August 21, 2024

From: Selica Y. Grant, Esq.
Director of Administrative Services Subject: Contract #CM02001
Amendment #1
Fingerprinting Services

Your approval is requested for Amendment #1 to Contract #CM02001 with Idemia Identity & Security USA LLC. The contract is necessary to provide the Authority with Fingerprinting Services. This Amendment will extend the term of the agreement to February 1, 2026.

Idemia was originally selected on a single source basis as they were the awarded vendor resulting from DCJS's RFP #CJS2015-02, which solicited proposals from qualified contractors to perform vendor managed civil fingerprint capture system services. The Authority's contract with Idemia is due to expire on January 30, 2025. This proposed amendment will extend the term of the agreement to February 1, 2026, the expiration date of the DCJS contract. Continuing to engage Idemia in the procurement of the fingerprinting services is in the best interest of the Authority as it will ensure the Authority remains compliant with the fingerprinting requirements for hiring employees.

The Authority Executive Director has determined that seeking a waiver of competition from the Board in the procurement of these services is in the best interest of the Authority. Attached is a signed copy of the Waiver of Competition memo. In accordance with statute, a notice was published in the NYS Contract Reporter regarding the intended award and the reasons for exemption.

The Director of Procurement Services has undertaken an affirmative review of the contractor's responsibility and has reasonable assurance that the proposed contractor is responsible.

The Department of Administrative Services has funds in their Budget that will be allocated to this project. The original contract term was 01/31/2020 through 01/30/2025. The maximum amount payable for this contract is \$150,000.00. This Amendment will extend the term of the agreement to February 1, 2026. Board approval is required.

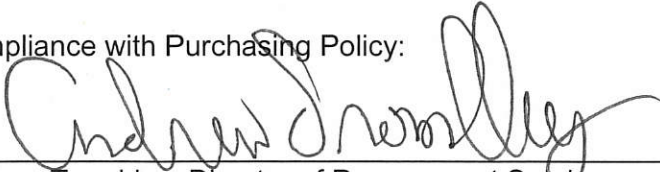
With your approval, we will process a Board agenda item for an Amendment #1 to Contract #CM02001 with Idemia. If you have any questions or need additional information concerning this request, do not hesitate to contact me at extension 3083.



Selica Y. Grant, Esq.
Director of Administrative Services

8/23/24
Date

Compliance with Purchasing Policy:



Andrew Trombley, Director of Procurement Services

8/21/24
Date


I Concur:



Selica Y. Grant, Esq.
Director of Administrative Services

8/23/24
Date

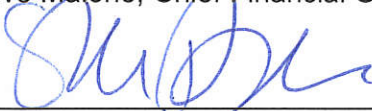
I Concur:



Dave Malone, Chief Financial Officer

8/21/24
Date

I Concur:



Sandra Rivera, Esq., General Counsel

8/21/2024
Date


I Concur:



Nicole Leblond, Chief of Staff

8/22/24
Date

I Approve:


Frank G. Hoare, Esq., Executive Director

8/22/24
Date

JPT



Memorandum

To: Frank G. Hoare, Esq.
Executive Director

Date: August 6, 2024

From: Selica Y. Grant, Esq.
Director of Administrative Services

Subject: Waiver of Competition Request
Idemia Identity & Security USA LLC
Contract # CM02001, Amendment #1
Fingerprinting Services

Your concurrence is being requested to waive competition for Amendment #1 to Contract #CM02001 with Idemia Identity and Security USA LLC ("Idemia") for Fingerprinting Services. The contract term is January 31, 2020 through January 30, 2025 and the maximum amount payable ("MAP") is \$150,000.00. This Amendment will extend the term of the contract to February 1, 2026.

This contract provides the Authority with fingerprinting services that are required for hiring employees for various titles. The fingerprints are submitted to DCJS for a review which is uploaded to a queue that the Authority can get the results from. Idemia was originally selected on a single source basis as they were the awarded vendor resulting from DCJS's RFP #CJS2015-02, which solicited proposals from qualified contractors to perform vendor managed civil fingerprint capture system services. This has reduced redundancy of effort and resources and has resulted in improvement of quality and security of civil fingerprints, photographs and data submitted to DCJS by participating agencies. The Authority was able to utilize DCJS's contract #CM02001 with Idemia to execute a single source contract for the same services.

The Authority's contract with Idemia is due to expire on January 30, 2025. This proposed amendment will extend the term of the agreement to February 1, 2026, which is the expiration date of the DCJS contract. Continuing to engage Idemia in the procurement of the fingerprinting services is in the best interest of the Authority as it will ensure the Authority remains compliant with the fingerprinting requirements for hiring employees.

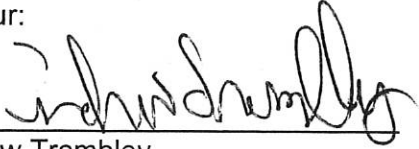
A review of the vendor's responsibility has been conducted and it has been determined that they are responsible.

The Directors of Procurement Services and Legal concurs with waiving competition in the procurement of these services. The Department of Procurement Services will ensure that a Post Ad notification is entered into the NYS Contract Reporter, see attached Post Ad draft. With your concurrence a Non-Engineering Personal Services Committee memo for concurrence of the selection will be prepared and circulated.

A handwritten signature in cursive script, appearing to read "Selica Y. Grant".

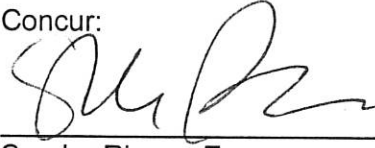
Selica Y. Grant, Esq.
Director of Administrative Services

Concur:



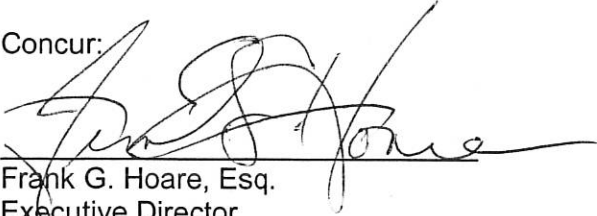
Andrew Trombley
Director of Procurement Services

Concur:



Sandra Rivera, Esq.
General Counsel *JPI*

Concur:



Frank G. Hoare, Esq.
Executive Director



Ad Type:	Finance
Classification (Up to four):	<input type="checkbox"/> Commodities <input checked="" type="checkbox"/> Consult./Other Services <input type="checkbox"/> Const. Prof. Services <input type="checkbox"/> Const. 1) Miscellaneous 3) Choose an item. 2) Choose an item. 4) Choose an item.
General Solicitation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Do any of the following apply:	<input type="checkbox"/> Discretionary procurements less than \$50k <input type="checkbox"/> Requests for information (RFI) and Requests for Comment (RFC) help <input type="checkbox"/> Discretionary procurements between \$50k-\$500k <input type="checkbox"/> Grant or notice of funds availability. <input checked="" type="checkbox"/> Notice of sole/single source or procurement exempt from advertising <input type="checkbox"/> Announcement of surplus property disposal <input type="checkbox"/> Continuous procurement solicitation <input type="checkbox"/> None
Publication date:	
Due Date/Time:	N/A
Contract Title:	Fingerprinting Services
Contract Number:	Contract # CM02001/Amendment #1
Contract Term:	January 31, 2020- February 01, 2026
Description:	It is the intent of the NYS Thruway Authority to process an Amendment to Contract # CM02001 with Idemia Identity & Security USA LLC.
Purchased from an out-of-state/foreign vendor within the past 3 years?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Economic Development Law Section 142(2)(c)(xi):	List all individuals/businesses that have been awarded an identical or similar contract within the past five years. For first time procurements, or more than 5 years since identical or similar contract, enter 'None'. none
SDVOB Set Aside?	<input type="checkbox"/> Check this box to indicate opportunity is reserved for SDVOB's only.
MWBE/SDVOB/DBE Goals:	<input type="checkbox"/> MBE: 0% <input type="checkbox"/> WBE: 0% <input type="checkbox"/> SDVOB: 0% <input type="checkbox"/> DBE: 0%
Site Location:	200 Southern Boulevard, Albany, NY 12209
Are good/services delivered statewide?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, list the county(ies) where goods/services will be delivered/provided:
Contact/Submit to:	Holly D'Esposito

maximum amount payable (“MAP”) by \$5,000.00 to a new MAP of \$17,000.00. This will allow enough time to have a new contract in place resulting from RFP #24C11 – Off-Site Occupational Medical Services for New York Division. Continuing services from Industrial Medical Associates, P.C will ensure that the Authority is compliant with United States Department of Labor, Occupational Safety and Health Administration (OSHA).

This item seeks Board authorization to extend the agreement for 1-year until June 30, 2025, and increase the maximum amount payable by \$5,000.00 to a new MAP of \$17,000.00.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6533

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AMENDMENT WITH INDUSTRIAL MEDICAL ASSOCIATES, P.C. AGREEMENT # C010530 TO PROVIDE OFF-SITE OCCUPATIONAL MEDICAL SERVICES FOR THRUWAY EMPLOYEES

RESOLVED, that the Executive Director or his designee be, and hereby is, authorized to execute a Second Amendment to Agreement #C010530 to extend the terms of the agreement until June 30, 2025 and increase the maximum amount payable by \$5,000.00 to a new MAP of \$17,000.00, and be it further

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

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

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



Director of Administrative Services

RECOMMENDATION APPROVED:



Executive Director

Meeting No.	764
Item	14
Appendix	N

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: Brent Howard, P.E.
Chief Engineer

SUBJECT: Approve the Waiver of Competition and Authorize the Executive Director to Execute a Contract with Structural Technologies, LLC to Perform Initial Preparatory Work for Installation of a Supplemental Load Path on Governor Mario M Cuomo Bridge

In accordance with the Authority's Procurement Contracts Policy, Board authorization is requested to execute a contract with Structural Technologies, LLC to perform initial preparatory work pertaining to the installation of a supplemental load path on selected stay cable anchorages on the Governor Mario M Cuomo Bridge.

The Authority convened a panel of leading experts to evaluate the stay cable anchorages installed by the design-builder, Tappan Zee Constructors, (TZC) on the GMMCB. The expert panel recommended investigation of a supplemental load path (SLP) which could be installed at selected locations in order to provide the GMMCB's anchorage system with the service life that the Authority contracted with TZC for. To advance this recommendation, HNTB Corporation, currently serving as the Owner's Engineer in support of the New NY Bridge Project was tasked to further investigate such a solution and evaluate the feasibility of this approach.

A key aspect of the addition of a supplemental load path system outlined above, requires the modification to the stay cable anchorage system, a key proprietary component to the overall stay cable systems. This modification includes grooving operation on 61 existing anchor heads that will require the SLP retrofit.

Advancing the anchor head modifications through a contractor other than Structural Technologies is not a practical or reasonable alternative. Structural Technologies' previous role

Meeting No.	764
Item	14
Appendix	N

as supplier and installer of the original anchor heads and the criticality of maintaining the integrity of the existing anchor heads as the proposed modifications are advanced makes the use of Structural Technologies, LLC to perform the proposed grooving modifications the only functional alternative. This will ensure the integrity of the existing anchor heads, the proper integration of the proposed modifications, and a minimization of overall cost and risk to the Authority. In addition to performing grooving operations, Structural Technologies will also fabricate bushings, threaded ring nuts and end caps that will be installed by the separate contractor who will install the SLP.

Advancing the work through a separate contract with Structural Technologies in advance of the overall Fabrication and Installation contract also offers schedule and cost benefits to the Authority as the grooving operations by Structural Technologies can begin in advance of the procurement of an erection contractor to install the bushings, bearing plates, and fabricated members to implement the SLP. This will allow the overall work to be completed in a more timely and economical manner and provide greater flexibility to support ongoing bridge and Shared Use Path operations with minimized impact to the planned construction.

As a result of the efforts of these leading experts and consistent with their recommendations, authorization is being sought for a contract with Structural Technologies, LLC. (Contract #C010743) with a maximum amount payable of \$8,000,000 The contract will have a contract term of three years with an Authority option to renew for one (1) additional two (2) year term. There is sufficient funding in the 2024 Authority bridge project budget for these services. Funding for 2025, 2026 and 2027 will be included in each year's operating budget.

Meeting No.	764
Item	14
Appendix	N

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

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6534

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH STRUCTURAL TECHNOLOGIES, LLC TO PERFORM INITIAL PREPARATORY WORK PERTAINING FOR INSTALLATION OF A SUPPLEMENTAL LOAD PATH ON THE GOVERNOR MARIO M CUOMO BRIDGE

RESOLVED, that the competitive procedures required by the Thruway Authority Procurement Contracts Policy are waived and that the Executive Director or his designee be, and hereby is, authorized to execute an agreement with Structural Technologies, LLC. to perform initial preparatory work for the installation of a supplemental load path on selected stay cable anchorages on the Governor Mario M Cuomo Bridge; and be it further

RESOLVED, that the agreement shall be for a term of three years with the Authority option to renew for one (1) additional two

(2) year term shall be for a maximum amount payable of \$8,000,000;
and be it further

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

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

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

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



Chief Engineer

Meeting No. 764
Item 14
Appendix N

RECOMMENDATION APPROVED:



Executive Director

Meeting No. 764
Item 15
Appendix O

TO: The Thruway Authority Board

Date: September 24, 2024

FROM: Brent Howard, P.E.
Chief Engineer

SUBJECT: Authorizing Additional Funding for B776.2 Bridge Preservation for MP
29.54 - Thruway over Suffern-Mt. Ivy Route 202 in the New York Division

B776.2 Bridge Preservation for MP 29.54 - Thruway over Suffern-Mt. Ivy Route 202 in the New York Division was let on June 26, 2024. The low bid of \$19,331,680 was submitted by Defoe Corporation.

As presented in the attached additional funds memorandum (Exhibit A), at this time, a budget increase of \$5,484,691 is needed to complete the project.

The additional funding to complete B776.2 Bridge Preservation for MP 29.54 - Thruway over Suffern-Mt. Ivy Route 202 in the New York Division will be accounted for from project deferments and bid savings from the 2024 Contracts Program. Funding for future years will be accounted for in the 2025-2029 Board approved Capital Program. Board approval is requested for an additional \$5,484,691 in authorization.

Meeting No. 764
Item 15
Appendix O

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6535

AUTHORIZING AN INCREASE TO THE MAXIMUM AMOUNT PAYABLE AND AUTHORIZING ADDITIONAL FUNDING FOR B776.2 BRIDGE PRESERVATION FOR MP 29.54 - THRUWAY OVER SUFFERN-MT. IVY ROUTE 202 IN THE NEW YORK DIVISION

RESOLVED, that an additional \$5,484,691 (revising the total contract value to \$19,331,680) for B776.2 Bridge Preservation for MP 29.54 - Thruway over Suffern-Mt. Ivy Route 202 in the New York Division is authorized, and be it further

RESOLVED, that the additional funding be allocated to B776.2 be accounted for in the 2025-2029 Board approved Capital Program, and be it further

RESOLVED, that the Chief Engineer or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the contract, manage and administer the contract, amend the provisions of the contract consistent with the

Meeting No. 764
Item 15
Appendix O

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.



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director



KATHY HOCHUL
Governor

JOANNE M. MAHONEY
Chair

FRANK G. HOARE, ESQ.
Executive Director

It is our opinion that the low bid prices are reasonable and represent the true cost of the work. We believe that the contract was competitively bid, and the Authority would not receive lower bids if the project was re-let. Therefore, we recommend that this contract be awarded to the low bidder, Defoe Corporation. The project budget was increased from \$10 million to \$14 million by Board resolution number 6510 on April 9th, 2024. Due to the timing of Board approval, the project start date was delayed. There is now \$1.76 million in cash flow savings in 2024. The additional \$5,484,691 in 2025, 2026 and 2027 cash flow needed for this project will be accounted for in the 2025-2029 Capital Program.

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

Director, Office of Design

Reviewed by Director of Capital & Contracts Management _____ (Initials)

I Approve:

Brent E. Howard, P.E - Chief Engineer

Date

Funds Allocated:

David Malone - Chief Financial Officer

Date

I Approve:

Frank G. Hoare, ESQ – Executive Director

Date

Attachment

- Cc: Division Director – (Vacant) Forward to Andy Nagy
- Div. Capital Plan Manager – Kristen Resnikoff and Tim Mathew
- Division ADDES – Kristen Resnikoff
- Director, Maintenance and Operations – James Konstalid
- Deputy Chief Engineer & Director of Capital Program Delivery – Robert Cournoyer
- Design Bureau Director – Dave Vosburgh
- Director, OCM – Charles Whetstone
- Director, Office of Procurement Services – Andrew Trombley
- Capital Program and Contract Management Unit – Ron Smith, Angelo Zullo, Karolyn Giardina
- OCM Secretary – Jill Carkner

Meeting No. 764
Item 16
Appendix P

TO: The Thruway Authority Board

Date: September 24, 2024

FROM: Brent Howard, P.E.
Chief Engineer

SUBJECT: Authorizing Additional Funding for H557.1, TAS 24-1; I-90, MP 347.1 to
351.4 Pavement Rehabilitation in the Syracuse Division

H557.1, TAS 24-1; I-90, MP 347.1 to 351.4; Pavement Rehabilitation in the Syracuse Division was let on August 7, 2024. The low bid of \$61,500,000.14 was submitted by Villager Construction, Inc.

As presented in the attached additional funds memorandum (Exhibit A), at this time, a budget increase of \$16,500,000.14 is needed to complete the project.

The additional funding to complete H557.1, TAS 24-1; I-90, MP 347.1 to 351.4; Pavement Rehabilitation in the Syracuse Division will be accounted for from project deferments and bid savings from the 2024 Contracts Program. Funding for future years will be accounted for in the 2025-2029 Board approved Capital Program. Board approval is requested for an additional \$16,500,000.14 in authorization.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

Meeting No. 764
Item 16
Appendix P

RESOLUTION NO. 6536

AUTHORIZING AN INCREASE TO THE MAXIMUM AMOUNT PAYABLE AND AUTHORIZING ADDITIONAL FUNDING FOR H557.1, TAS 24-1; I-90, MP 347.1 TO 351.4; PAVEMENT REHABILITATION IN THE SYRACUSE DIVISION

RESOLVED, that an additional \$16,500,000.14 (revising the total contract value to \$61,500,000.14) for H557.1, TAS 24-1; I-90, MP 347.1 to 351.4; Pavement Rehabilitation in the Syracuse Division is authorized, and be it further

RESOLVED, that the additional funding be allocated to H557.1 be accounted for in the 2025-2029 Board approved Capital Program, and be it further

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

RESOLVED, that this resolution be incorporated in the

Meeting No. 764
Item 16
Appendix P

minutes of this meeting.



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director



Memorandum

TO: Brent Howard, P.E.

DATE: August 22, 2024

FROM: Al Mastroianni, P.E

SUBJECT: I-90, MP 347.1 to 351.4
Pavement Rehabilitation
H557.1, D214944, TAS 24-1
Bid Analysis

Letting Date: 8/07/24 Advertising Period: 7/10/24 – 8/07/24	Bids received: 3
Capital Program Budget: \$45,000,000 Engineer’s Estimate: \$50,000,000 Low Bid: \$61,500,000.14 CP Difference: +16,500,000.14 (36.67%) EE Difference: + \$11,500,000.14 (+23.00%)	Items in Contract: 188 Amendments Issued: 3
Items bid 25% or more over EE: 58 Items bid 75% or more below EE: 6	

Contract TAS 24-1 was let on August 7, 2024. There were three (3) bids received and Villager Construction, Inc. submitted the low bid of \$61,500,000.14 which is 23.00% above the Engineer’s Estimate (EE) of \$50,000,000 and 36.67% above the Capital Program Budget.. The bid analysis for the low bidder is attached.

The quantities for the items bid 25% or more over the EE were checked. Among these items, notable cost differences between the EE and the low bid include:

Item 203.02 UNCLASSIFIED EXCAVATION AND DISPOSAL

83,854 CY

EE: \$2,180,204.00 (\$26.00/CY)

BID: \$3,354,160.00 (\$40.00/CY)

Dollars and Percent Variance compared to EE: + \$1,176,956.00 / + 154%

The EE unit price of \$26.00/CY was established using NYSTA weighted average bid prices. The bid prices ranged from \$40.00/CY to \$62.00/CY. The low bidder stated that the new trucking prevailing wage rate has driven up the cost of this item. Approximately half of the bid cost is associated with the trucking of the excavated material. Also, in this contract, most of the excavation is in limited space (median) and is a more labor intensive because of the required accuracy.

Item 304.12 SUBBASE COURSE TYPE 2

19,466 CY

EE: \$973,300.00 (\$50.00/CY)

BID: \$2,180,192.00 (\$112.00/CY)

Dollars and Percent Variance compared to EE: + \$1,206,892.00 / + 224%

The EE unit price of \$50.00/CY was established using NYSTA weighted average bid prices. The bid prices ranged from \$95.00/CY to \$125.00/CY. The low bidder stated that, again, the new trucking prevailing wage rate have driven up the cost of this item. Approximately half of the bid cost is associated with the trucking of the new material. Also, in this contract, majority of the placement of the material is in



KATHY HOCHUL
Governor

JOANNE M. MAHONEY
Chair

FRANK G. HOARE, ESQ.
Executive Director

confined space (median) and is a more labor intensive because of the required accuracy. The required compaction of this material in limited space limits the size of equipment for compaction which increases the labor costs.

Item 582.0051 REMOVAL AND REPLACEMENT OF STRUCTURAL CONCRETE

71 CY

EE: \$127,800.00 (\$1800.00/CY)

BID: \$550,250.00 (\$7,750.00/CY)

Dollars and Percent Variance compared to EE: + \$422,405 / + 431%

The EE unit price of \$1,800.00/CY was established using NYSTA weighted average bid prices. The bid prices ranged from \$7,750.00/CY to \$11,500.00/CY. The low bidder does not have the expertise to perform such structural work. Therefore, they chose to use a subcontractor. They believe that the repairs can not be all performed at once and will have to be staged in intervals to maintain the structural integrity of the structure. All of this makes the item very labor intensive and time consuming. Also, the new concrete performance specifications increase the cost of this item.

Item 595.5000018 SHEET APPLIED WATERPROOFING MEMBRANE

15,402 SF

EE: \$92,412.00 (\$6.00/SF)

BID: \$431,256.00 (\$28.00/SF)

Dollars and Percent Variance compared to EE: + \$338,844.00 / + 467%

The EE unit price of \$6.00/SF was established using NYSTA weighted average bid prices. The bid prices ranged from \$6.00/SF to \$28.00/SF. The low bidder stated the removal of the existing waterproof membrane is what is driving this cost above historical costs. They have recently worked on a project that removed existing waterproofing. They stated it was very labor intensive and difficult.

Item 606.30330008 CONCRETE MEDIAN BARRIER (MODIFIED)

7,024 LF

EE: \$2,669,120.00 (\$380.00/LF)

BID: \$5,443,600.00 (\$775.00/LF)

Dollars and Percent Variance compared to EE: + \$2,774,480.00 / + 204%

The EE unit price of \$380.00/LF was established using NYSTA weighted average bid prices. The bid prices ranged from \$775.00/LF to \$925.00/LF. The low bidder has proposed to use precast sections for this barrier. Therefore, this cost includes the cost for a crane needed to set the 30-ton concrete sections. They indicated that the placement of the barrier will also be very time consuming. They indicated that quoted prices for cast in place was also high.

Item 606.75 REMOVING AND DISPOSING CONCRETE MEDIAN BARRIER

19,730 LF

EE: \$493,250.00 (\$25.00/LF)

BID: \$1,381,100.00 (\$70.00/LF)

Dollars and Percent Variance compared to EE: + \$887,850.00 / + 280%



KATHY HOCHUL
Governor

JOANNE M. MAHONEY
Chair

FRANK G. HOARE, ESQ.
Executive Director

The EE unit price of \$25.00/LF was established using NYSTA weighted average bid prices. The bid prices ranged from \$45.00/LF to \$70.00/LF. The low bidder stated that the limited space to remove the barrier made this more labor intensive than usual. Further, the low bidder stated that the new trucking prevailing wage rates for disposal have driven up the cost of this item.

Item 619.01 BASIC WORKZONE TRAFFIC CONTROL

1 LS

EE: \$2,500,000.00 (\$2,500,000.00 /LS)

BID: \$5,995,839.00 (\$5,995,839.00 /LS)

Dollars and Percent Variance compared to EE: + \$3,495,839.00 / + 240%

The EE price of \$2,500,000/LS was established using historical bid data for similar NYSTA projects. The bid price ranged from \$3,043,542.00/LS to \$13,000,000.00/LS. The low bidder stated that due to the traffic volumes in this section, they feel that there will be a lot of work to maintain traffic in a safe manner. Also, due to the required time restrictions, there will be a lot of work that will have to be performed with overtime and double time. Another additional cost included with the low bidder's bid this item is the required insurance. They stated that the rate is approximately 25% of the total item cost.

The quantities for the items bid 75% or more below the EE were checked and appear reasonable.

The low bidder stated that they are comfortable with their bid.

It is our opinion that the low bid prices are reasonable and represent the true cost of the work. All three bids received are higher than Engineers Estimate. The bid results appear to follow the current trends for bids in the State of New York. Construction costs have been escalating likely due to the number of large infrastructure projects throughout the state as well as increasing material costs. For reference, the other bids received were at \$69,123,090.78 and \$86,059,000.16. We believe that the contract was competitively bid and we do not believe repackaging and reletting the project will result in a lower bid. Therefore, at this time, we recommend that the contract be awarded to Villager Construction, Inc. As a result of the project's schedule change, there is a cash flow savings of \$2,681,698 in 2024. The additional \$16,500,000.14 in cash flow needed for this project will be accounted for in 2025, 2026 and 2027 as part of the 2025-2029 Capital Program. Authorization is available from the non-award of project TAN 24-12/D21494.

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

Al Mastroianni, P.E, Director, Office of Design

Reviewed by Director of Capital & Contracts Management _____ (Initials)



KATHY HOCHUL
Governor

JOANNE M. MAHONEY
Chair

FRANK G. HOARE, ESQ.
Executive Director

I Approve:

Brent E. Howard, P.E - Chief Engineer

Date

Funds Allocated:

Chief Financial Officer

Date

I Approve:

Frank G. Hoare, ESQ. – Executive Director

Date

Cc: Division Director – **Buffalo – Matt Latko**
Div. Capital Plan Manager - **Buffalo – John Boser**
Division ADDES – **Buffalo – John Elmore**
Director, Maintenance and Operations – **(Vacant) Forward to Andy Nagy**
Deputy Chief Engineer & Director of Capital Program Delivery – **(Vacant) Forward to Brent Howard**
Design Bureau Director – **Bob Cournoyer – Highway Design**
Director, OCM – **Charles Whetstone**
Director, Office of Procurement Services – **Andrew Trombley**
Capital Program and Contract Management Unit – **Ron Smith, Angelo Zullo, Karolyn Giardina**
OCM Secretary – **Jill Carkner**

Meeting No. 764
Item 17
Appendix Q

TO: The Thruway Authority Board
DATE: September 24, 2024
FROM: Brent E. Howard, P.E.
Chief Engineer
SUBJECT: Authorizing the Execution of Agreement D214988 with Colliers Engineering & Design CT, PC

In accordance with Authority policy, Colliers Engineering & Design CT, PC, has been designated to provide services through agreement D214988; as presented in Exhibit A. Board authorization is requested to execute an agreement with Colliers Engineering & Design CT, PC, for Construction Inspection services in the Buffalo Division. Sufficient funding for agreement D214988 is provided for in the 2024-2028 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6537

**AUTHORIZING THE EXECUTION OF AGREEMENT D214988
WITH COLLIERS ENGINEERING & DESIGN CT, PC**

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214988 with Colliers Engineering & Design CT, PC , as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2024 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

EXHIBIT A
 Agreements for Engineering Services

D No./Agreement/ Designation Date	Firm/Address	MAP/ Contracts Program Item No.	Term of Agreement	M/WBE and SDVOB Firms/Goals
D214988, Term Agreement for Construction Inspection (CI) Support Services in Buffalo, 08/6/2024	Colliers Engineering & Design CT, PC 40 LaRiviere Drive, Suite v200 Buffalo, NY	\$4,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.	Three years, with an option for the Authority to extend for one additional (1) additional two (2) year term	<ul style="list-style-type: none"> • Popli, Architecture + Engineering & L.S., D.P.C. (MBE) • Kubit Engineering, PLLC (WBE) • W. Allen Engineering PLLC (SDVOB) • Encorus Group Engineering, P.C. (SDVOB) <p>Goals: 30% M/WBE and 6% SDVOB</p>

Meeting No.	764
Item	18
Appendix	R

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: Brent E. Howard, P.E.
Chief Engineer

SUBJECT: Authorizing the Execution of Agreement D214989 with Prudent Engineering, LLP

In accordance with Authority policy, Prudent Engineering, LLP, has been designated to provide services through agreement D214989; as presented in Exhibit A. Board authorization is requested to execute an agreement with Prudent Engineering, LLP, for Construction Inspection services in the Buffalo Division. Sufficient funding for agreement D214989 is provided for in the 2024-2028 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6538

**AUTHORIZING THE EXECUTION OF AGREEMENT D214989
WITH PRUDENT ENGINEERING, LLP**

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214989 with Prudent Engineering, LLP, as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2024 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

EXHIBIT A
 Agreements for Engineering Services

D No./Agreement/ Designation Date	Firm/Address	MAP/ Contracts Program Item No.	Term of Agreement	M/WBE and SDVOB Firms/Goals
D214989, Term Agreement for Construction Inspection (CI) Support Services Buffalo Division, 08/6/2024	Prudent Engineering and Land Surveying, P.C. 6390 Fly Road East Syracuse, NY 13057	\$4,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.	Three years, with an option for the Authority to extend for one additional (1) additional two (2) year term	<ul style="list-style-type: none"> • Ravi Engineering and Land Surveying, P.C. (MBE) • Tolman Engineering, Architecture & Land Surveying, PLLC dba Patriot Design & Consulting (SDVOB) <p>Goals: 30% M/WBE and 6% SDVOB</p>

Meeting No. 764
Item 19
Appendix S

TO: The Thruway Authority Board
DATE: September 24, 2024
FROM: Brent E. Howard, P.E.
Chief Engineer
SUBJECT: Authorizing the Execution of Agreement D214990 with Applied Research Associates, Inc.

In accordance with Authority policy, Applied Research Associates, Inc., has been designated to provide services through agreement D214990; as presented in Exhibit A. Board authorization is requested to execute an agreement with Applied Research Associates, Inc., for Pavement Management Services, Statewide. Sufficient funding for agreement D214990 is provided for in the 2024-2028 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6539
**AUTHORIZING THE EXECUTION OF AGREEMENT D214990
WITH APPLIED RESEARCH ASSOCIATES, INC.**

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214990 with Applied Research Associates, Inc., as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the

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

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2024 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

EXHIBIT A
 Agreements for Engineering Services

D No./Agreement/ Designation Date	Firm/Address	MAP/ Contracts Program Item No.	Term of Agreement	M/WBE and SDVOB Firms/Goals
D214990, Term Agreement for Pavement Management Services Statewide, 06/27/2024	Applied Research Associates, Inc. 100 Trade Centre Dr. Suite 200 Champaign, IL 61820-7233	\$750,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.	Three years, with an option for the Authority to extend for one (1) additional two (2) year term	<ul style="list-style-type: none"> • Prudent Engineering LLP (MBE) • Atlantic Testing Laboratories Limited (WBE) • Tolman Engineering, Architecture & Surveying, PLLC d.b.a Patriot Design & Consulting (SDVOB) <p>Goals: 30% M/WBE and 6% SDVOB</p>

Meeting No.	764
Item	20
Appendix	T

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: Brent E. Howard, P.E.
Chief Engineer

SUBJECT: Authorizing the Execution of Agreement D214993 with Prudent Engineering, LLP

In accordance with Authority policy, Prudent Engineering, LLP, has been designated to provide services through agreement D214993; as presented in Exhibit A. Board authorization is requested to execute an agreement with Prudent Engineering, LLP, for Construction Inspection services in the Syracuse Division. Sufficient funding for agreement D214993 is provided for in the 2024-2028 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6540

**AUTHORIZING THE EXECUTION OF AGREEMENT D214993
WITH PRUDENT ENGINEERING, LLP**

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214993 with Prudent Engineering, LLP, as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

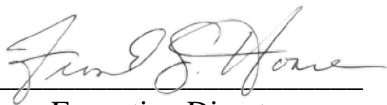
RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2024 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

EXHIBIT A
 Agreements for Engineering Services

D No./Agreement/ Designation Date	Firm/Address	MAP/ Contracts Program Item No.	Term of Agreement	M/WBE and SDVOB Firms/Goals
D214993, Term Agreement for Construction Inspection Services Primarily in Syracuse 05/17/2024	Prudent Engineering, LLP 6390 Fly Road East Syracuse, NY 13057	\$4,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.	Three years, with an option for the Authority to extend for one (1) additional three (3) year term	<ul style="list-style-type: none"> • Ravi Engineering & Land Surveying, P.C. MBE • TRC Engineers, Inc. • TOLMAN Engineering, Architecture & Surveying, PLLC <p>Goals: 30% M/WBE and 6% SDVOB</p>

Meeting No. 764
Item 21
Appendix U

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: Brent E. Howard, P.E.
Chief Engineer

SUBJECT: Authorizing the Execution of Agreement D214994 with Colliers Engineering & Design Architecture, Landscape Architecture, Surveying, CT P.C

In accordance with Authority policy, Colliers Engineering & Design Architecture, Landscape Architecture, Surveying, CT P.C, has been designated to provide services through agreement D214994; as presented in Exhibit A. Board authorization is requested to execute an agreement with Colliers Engineering & Design Architecture, Landscape Architecture, Surveying, CT P.C, for Construction Inspection services in the Buffalo Division. Sufficient funding for agreement D214994 is provided for in the 2024-2028 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6541

**AUTHORIZING THE EXECUTION OF AGREEMENT D214994
WITH COLLIERS ENGINEERING & DESIGN ARCHITECTURE,
LANDSCAPE ARCHITECTURE, SURVEYING, CT P.C**

RESOLVED, that the Chief Engineer or his designee, be,
and he hereby is, authorized to execute agreement D214994 with
Colliers Engineering & Design Architecture, Landscape
Architecture, Surveying, CT P.C, as listed in Exhibit A, attached
hereto, provided that sufficient funding has been identified to
complete services for the projects through this agreement, with the
Maximum Amount Payable of the agreement not to exceed the
amount shown in the attached Exhibit A, and such agreement shall

be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreement, manage and administer the agreement, amend the provisions of the agreement consistent with the terms of this Item and in accordance with the 2024 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interest of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

EXHIBIT A
 Agreements for Engineering Services

D No./Agreement/ Designation Date	Firm/Address	MAP/ Contracts Program Item No.	Term of Agreement	M/WBE and SDVOB Firms/Goals
D214994 Term Agreement for Bridge Design Support Services – Buffalo Division	Colliers Engineering & Design Architecture, Landscape Architecture, Surveying, CT P.C. 280 East Broad Street, Suite 200 Rochester, NY 14614	\$4,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation	Three years, with an option for the Authority to extend for one additional (1) additional two (2) year term	<ul style="list-style-type: none"> • Watts Architecture & Engineering, DPC DBA Watts Architects & Engineers (MBE) • JM Davidson Engineering, D.P.C. (WBE) • M&P Engineering and Land Surveying, PLLC (SDVOB) • Terracon Consultants - NY, INC. <p>Goals: 30% M/WBE and 6% SDVOB</p>

Meeting No. 764
Item 22
Appendix V

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: Brent E. Howard, P.E.
Chief Engineer

SUBJECT: Authorizing the Execution of Agreement D214999 with Henningson Durham & Richardson Architecture and Engineering, P.C.

In accordance with Authority policy, Henningson Durham & Richardson Architecture and Engineering, P.C., has been designated to provide services through agreement D214999; as presented in Exhibit A. Board authorization is requested to execute an agreement with Henningson Durham & Richardson Architecture and Engineering, P.C., for Highway Design Services in the NY Division. Sufficient funding for agreement D214999 is provided for in the 2024-2028 Contracts Program.

RECOMMENDATION:

It is recommended that the Board adopt the following resolution:

RESOLUTION NO. 6542

**AUTHORIZING THE EXECUTION OF AGREEMENT D214999
WITH HENNINGSON DURHAM & RICHARDSON ARCHITECTURE
AND ENGINEERING, P.C.**

RESOLVED, that the Chief Engineer or his designee, be, and he hereby is, authorized to execute agreement D214999 with Henningson Durham & Richardson Architecture and Engineering, P.C., as listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the

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

RESOLVED, that the Chief Engineer or his designees shall have the
authority to exercise all powers reserved to the Authority under the
provisions of the agreement, manage and administer the agreement, amend
the provisions of the agreement consistent with the terms of this Item and in
accordance with the 2024 Contracts Program Resolution and other Board
authorizations, and suspend or terminate the agreement in the best interest
of the Authority, and be it further

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



Chief Engineer

RECOMMENDATION APPROVED:



Executive Director

EXHIBIT A
 Agreements for Engineering Services

<p>D214999, Term Agreement for Highway Design Support Services Primarily in NY Division (DA), 09/10/2024</p>	<p>Henningson Durham & Richardson Architecture and Engineering, P.C. 711 Westchester Avenue, Suite 103, White Plains, NY 10604</p>	<p>\$6,000,000 Funding will be allocated according to the Board authorized Capital Program for amounts not to exceed the designated amounts in each Capital project, total spending of this item will not exceed the Maximum Amount payable specified in the competitive solicitation.</p>	<p>Three years, with an option for the Authority to extend for two (2) additional one (1) year terms</p>	<ul style="list-style-type: none"> • KC Engineering and Land Surveying, P.C. (MBE) • KS Engineers, P.C. (MBE) • Environmental Planning & Management, Inc. (WBE) • Hayduk Engineering, LLC (SDVOB) <p>Goals: 30% M/WBE and 6% SDVOB</p>
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Meeting No. 764
Item 23
Appendix W

TO: The Thruway Authority Board

DATE: September 24, 2024

FROM: Frank G. Hoare, Esq.
Executive Director

SUBJECT: Report on Procurement Contracts and Other Agreements Up to \$500,000
Executed by the Executive Director During the Period April 1, 2024 Through June
30, 2024

Pursuant to Resolution No. 6461 adopted at Meeting No. 760 held on November 14, 2023, the Board adopted the Procurement Contracts Policy which authorizes the Executive Director to: execute any procurement contract, including amendments thereto, in an amount not to exceed \$500,000 provided that a Procurement Contract for professional services has a term of one year or less; increase by up to \$500,000 any procurement contract previously approved by the Board; extend any procurement contract for a period in excess of one year provided such contract or extension does not exceed \$500,000 provided that a Procurement Contract for professional services has a term of one year or less; and waive the use of a competitive procedure for certain procurement contracts. The Procurement Contracts Policy requires that the Executive Director report to the Board quarterly on all Procurement Contracts or Amendments thereto that have been executed pursuant to such authority.

Pursuant to this Resolution, attached hereto as Exhibit I is a list of the Procurement Contracts and or Amendments thereto executed by the Executive Director pursuant to the authority in the Procurement Contracts Policy during the time period of April 1, 2024 through June 30, 2024.

Meeting No. 764
Item 23
Appendix W

RECOMMENDATION:

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


Executive Director

Meeting No. 764
Item 23
Appendix W

EXHIBIT I

THRUWAY PERSONAL SERVICE CONTRACTS UP TO \$500,000
FOR THE PERIOD April 1, 2024 – June 30, 2024

Date	Amount	Contractor	Amendment No.	MWBE Goal %	SDVOBE Goal %	Purpose
5/6/24	\$122,656.53	Securitas Electronic Security, Inc	n/a	0	0	GMMCB Security Software Upgrade/Migration