

December 23, 2010

Robert S. Brams
(202) 457-5650
rbrams@pattonboggs.com

Via E-mail & Messenger

Mr. Robert J. Tuccillo
Associate Administrator & CFO
Office of Budget & Policy
Federal Transit Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Re: FTA's December 20, 2010 Letter; Records Request & Other Matters

Dear Mr. Tuccillo:

Thank you for your December 20, 2010 letter granting the New Jersey Transit Corporation ("NJ Transit") until January 10, 2011 to respond to FTA's November 24, 2010 letter to NJ Transit, which asserts a formal claim for repayment of approximately \$271 Million, as well as potential interest, penalties and other charges, related to the funding of the Access to the Region's Core ("ARC") project ("FTA's Demand" or "FTA's Claim").

Records Request

NJ Transit has previously attempted to exercise its right to inspect and copy FTA's records related to FTA's Claim, *see, e.g.*, NJ Transit's December 15, 2010 Letter to FTA, at 2, and has identified specific documents to be inspected and copied by NJ Transit. *See* Exhibit A to NJ Transit's December 15 Letter to FTA. In response, your December 20 Letter stated that "[y]ou have already been given copies of the records and documents **on which I based my November 24 demand for repayment** of the \$271,101,291 in Federal funding expended by NJT under the ESWA." (Emphasis added.)

NJ Transit, however, is not limited to being provided (or to inspecting and copying) only those "records and documents on which [you] based [your] November 24 demand for repayment." As noted in your November 24 letter, at 2, "**NJT has the right to inspect and copy FTA records related to this claim**, with any reasonable costs of copying and inspection to be borne by NJT."¹ (Emphasis added.) NJ Transit's "right to inspect and copy FTA records related to this claim" is expressly confirmed by FTA Order 2060.1A, Internal

¹ NJ Transit agrees to pay any reasonable costs of copying and inspection of FTA's records.

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Procedures for Debt Collection (July 2, 2008), at ¶ 7.b.(2)(c) (emphasis added), which provides that the alleged debtor has the “right to inspect and copy FTA records related to the claim.” Similarly, 49 C.F.R. § 89.21(e) states that “the debtor may inspect and copy the records of the agency related to the claim.”² (Emphasis added.)

With respect to your statement that NJ Transit has “already been given copies of the records and documents[,]” FTA has provided NJ Transit with about 11 documents - 10 of which NJ Transit already possessed - totaling approximately 125 pages. Given that the ARC project was a multi-billion dollar undertaking and that the alleged debt is about \$271 Million, we expect that there are far more than 11 documents that constitute FTA’s “records related to this claim.”

NJ Transit has previously emphasized that a critical purpose of its right to inspect and copy records is to facilitate the development and submission of a complete administrative record in response to FTA’s Claim, as discovery in U.S. District Court may be limited should judicial review of FTA’s final agency decision be necessary, and so as to ensure the fair and just resolution of this matter that all parties desire. Consequently, NJ Transit respectfully renews its demand to be allowed to exercise its right to inspect and copy FTA’s records “related to” FTA’s Claim as soon as possible and not later than December 30, 2010. *See* 49 C.F.R. § 89.21(f)(2).³

We further observe that FTA has not responded to NJ Transit’s December 15 request “that FTA not assess interest, penalties or other charges” related to FTA’s Claim. We also believe that the extension until January 10 is insufficient given the significant amount at stake, the complex history of the ARC project, and the necessity for FTA to respond to NJ Transit’s records request and for NJ Transit to review those records and to incorporate relevant information from them into its Response to FTA’s Claim.

² Other statutory and regulatory authority confirms this requirement. *E.g.*, 31 U.S.C. § 3716(a)(2) (Federal agencies may collect debt “by administrative offset only after giving the debtor ... an opportunity to inspect and copy the records of the agency related to the claim”) (emphasis added); 31 C.F.R. § 901.3(b)(4)(ii)(B)(1) (prior to administrative offset, debtor must be provided “[t]he opportunity to inspect and copy agency records related to the debt”) (emphasis added).

³ To facilitate the identification, and inspection and copying, of FTA’s records related to its Claim, NJ Transit attached an illustrative list of records to be inspected and copied by NJ Transit as Exhibit A to its December 15 letter to FTA.

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Repayment Demand

NJ Transit recognizes your efforts to distinguish the three sources of federal funding that underlie your repayment demand. This is critical to resolving this matter. As your letter acknowledges, the legal basis for repayment is limited to “Government payments made under the work agreement.” The work agreement, however, awards only Section 5309 “New Starts” funds and “subtract[s] out” the ARRA and CMAQ funds from its Total Eligible Cost. *See* ESWA (NJ-03-0169-00), at 14, 22, 24 (attached as Exhibit A hereto); ESWA, as amended (NJ-03-0169-01), at 14-15, 18 (attached as Exhibit B hereto). Similarly, Title 49 defines an ESWA as an instrument to obligate New Starts funding and limits total obligations to available New Starts commitment authority. *See* 49 U.S.C. §§ 5309(g)(3)(B)(i), 5309(g)(4). Accordingly, since the ESWA statute refers only to paying out New Starts funds, the statute can in turn refer only to paying back such New Starts funds.⁴ *Id.* Further, the law governing the Urbanized Area Formula funds, in this instance appropriated under the ARRA, specifically provides that the terms of Section 5309 – including the repayment provision – are inapplicable to those funds. *See* 49 USC § 5307(k)(2). Moreover, the CMAQ funds transferred to FTA in this instance were administered under the terms of the Section 5307 program and, as such, also are not subject to the repayment provision. *See* 23 U.S.C. § 104(k); FTA Fiscal Year 2010 Apportionments, Allocations, & Program Information, 75 Fed. Reg. 7047, 7070 (Feb. 16, 2010); Final Program Guidance for the CMAQ Program under SAFETEA-LU (FHWA 2008), at 19.

NJ Transit is therefore uncertain as to FTA’s legal basis for concluding that anything other than the New Starts funds are “Government payments made under the work agreement.” NJ Transit also emphasizes that there is a fundamental distinction between the statutory phrase “Government payments made under the work agreement” and the broader constructions DOT and FTA have repeatedly given it, including, for example, in your letter of December 20: “Federal funding expended under the ESWA” (emphasis added).⁵ These

⁴ Specifically, Section 5309(g)(3)(B)(i) defines an ESWA as an instrument to “obligate an amount of budget authority specified in law.” Section 5309(g)(4)(A) subsequently limits the total amount that FTA can obligate under all ESWAs and FFGAs to the amount of New Starts funding that is currently authorized, plus an additional amount of anticipated future New Starts funding known as FTA’s Contingent Commitment Authority. By limiting the total amount of obligations to an amount of available New Starts funds, the commitment authority set out in Section 5309(g)(4) makes clear that the statute is referring only to the obligation of New Starts funds. In turn, what the statute refers to as being obligated – i.e., as being legally committed for payment -- naturally dictates what is subsequently meant by “payments.” Because the statute is referring only to obligating New Starts funds, the statutory phrase “payments made under the work agreement” must also refer only to New Starts funds.

⁵ *See, e.g.*, FTA November 24 Demand Letter at 2 (characterizing the repayment obligation, instead of “all Government payments made under the work agreement,” as “all Federal funding for the ARC project, including

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constructions significantly change the meaning of the statute's plain language. While FTA appears to contend that the CMAQ and ARRA funds were "expended under the ESWA," they are not "Government payments made under the work agreement" which Title 49 and the ESWA dictate can refer only to New Starts funds. Instead, these are formula funds that State of New Jersey received through statutory apportionment, independent and irrespective of the ESWA.

FTA's overly broad interpretation would require the repayment of (a) \$100 million in CMAQ funds expended before the ESWA was entered into, which cannot be a "payment made under the work agreement," and (b) a total of \$206 million in CMAQ and ARRA funds expended for Preliminary Engineering and Final Design activities that could have been expended absent an ESWA and without any repayment obligation.⁶ Further, the logical purpose for the repayment provision is to recoup funds that were advanced where the grantee does not carry out the project for reasons within its control. The only funding a grantee receives in advance under an ESWA - that it would not otherwise receive, and for which there is any possible basis for repayment - is the early commitment of New Starts funds. As such, FTA appears to lack a logical as well as legal foundation for demanding repayment of the \$219.5 million in CMAQ and ARRA funds in question.

By virtue of Secretary LaHood's December 14 letters proposing to return \$128 million in CMAQ funds to New Jersey (if New Jersey pays FTA's \$271 million Claim), it appears that there is common ground on this set of issues, founded on the underlying recognition that New Jersey is entitled to its formula apportionments - i.e., CMAQ but logically also ARRA - that would have been made irrespective of the ARC project. At a minimum, since FTA acknowledges that New Jersey is entitled to the \$128 million in CMAQ funds, we request that FTA refrain from seeking repayment of those funds. As the basis for acknowledging New

funds provided pursuant to the ESWA governing the project"); FTA November 8 Demand Letter at 1 (in addition to repeating the above, describing the repayment obligation as "all the Federal financial assistance expended for ARC under the ESWA"); FTA December 20 Letter Granting Notice of Extension (characterizing the repayment demand as the "full amount of Federal funding expended under the ESWA for the [ARC] project"). These reformulations gloss over the fundamental question of the source of the funds. The use of the phrase "funds expended" -- instead of "payments made" -- departs from, and is manifestly broader than, the statutory language, and alters the meaning of the statute.

⁶ The legislative history of the ESWA provision also shows there is no basis for the repayment demand to apply to these funds. A Senate Committee on Banking, Housing and Urban Affairs document explaining the Committee's legislative language, which was adopted into law without significant change, expressly says that "Grantees ... would not be required to repay th[e] costs of preliminary design and engineering." See Senate Banking, Housing and Urban Affairs Committee: "Metropolitan Transportation Initiative: Staff Discussion Draft" (April 17, 1991), at 14-15.

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Jersey's entitlement to the CMAQ funds applies equally to the ARRA funds, NJ Transit further requests that FTA refrain from seeking repayment of all \$219.5 million in non-New Starts funds.

Thus, for the reasons discussed herein (and others), which will be more fully developed in our January 10 Response, we respectfully suggest that FTA has neither the right nor the obligation to require NJ Transit to return the \$219.5 million in CMAQ and ARRA funds in question. If FTA believes this interpretation is incorrect, please advise not only as to FTA's interpretation, but also as to the specific flaw FTA finds in the position stated above. NJ Transit respectfully urges FTA to carefully consider NJ Transit's position and believes that a prompt resolution of this matter can and should be reached.

With respect to the \$51.5 million in actual New Starts funds, for which NJ Transit also has no repayment obligation because, *inter alia*, the project cancellation was outside of its control, NJ Transit continues to believe that constructive engagement remains the best way to achieve a fair and expeditious resolution of this matter for both NJ Transit and FTA.⁷

Sincerely,



Robert S. Brams
Michael J. Schaengold
Counsel for
New Jersey Transit Corporation

Enclosures (Exhibits A & B)

cc: Dorval Carter, Esq.
Scott Biehl, Esq.
Mr. James Weinstein
Robert Hanna, Esq.
Marc-Philip Ferzan, Esq.
Terrence Brody, Esq.

⁷ Please note that this letter does not constitute NJ Transit's formal or final response to your November 24, 2010 letter. It is intended only to state and preserve NJ Transit's rights, and to advise FTA as to aspects of NJ Transit's position that may be subject to initial resolution by and between the parties.

Exhibit A

DOT**FTA**

U.S. Department of Transportation

Federal Transit Administration

Application

Recipient ID:	1414
Recipient Name:	NEW JERSEY TRANSIT CORPORATION
Project ID:	NJ-03-0169-00
Budget Number:	1 - Budget Prior Approved
Project Information:	ARC Early System Work Agreement

Part 1: Recipient Information

Project Number:	NJ-03-0169-00
Recipient ID:	1414
Recipient Name:	NEW JERSEY TRANSIT CORPORATION
Address:	ONE PENN PLAZA EAST , NEWARK, NJ 07105 2246
Telephone:	(973) 491-7107
Facsimile:	(973) 461-4481

Union Information

Recipient ID:	1414
Union Name:	ATU - LOCAL 819
Address 1:	186 BROOKSIDE AVE.
Address 2:	
City:	IRVINGTON, NJ 07111 0011
Contact Name:	BEN EVANS
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Facsimile:	(973) 373-3380
E-mail:	BE819@YAHOO.COM
Website:	

Recipient ID:	1414
Union Name:	ATU - LOCAL 820
Address 1:	128 NORTH STREET
Address 2:	

City:	JERSEY CITY, NJ 07307 0000
Contact Name:	LOU CASTRO
Telephone:	(201) 792-0649
Facsimile:	(201) 963-4538
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Recipient ID:	1414
Union Name:	ATU - LOCAL 821
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Recipient ID:	1414
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Website:	

Recipient ID:	1414
Union Name:	ATU - LOCAL 823
Address 1:	610 SALEM AVE
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Contact Name:	Nancy Spence
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Website:	

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Recipient ID:	1414
Union Name:	ATU - LOCAL 824
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Union Name:	POLICE
Address 1:	FOP LODGE #37
Address 2:	122 SHERWOOD LANE
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Facsimile:	
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Facsimile:	
E-mail:	No email
Website:	

Recipient ID:	1414
Union Name:	AMERICAN RAILWAY & AIRWAY SUPERVISORS ASSOCIATION (M OF E)
Address 1:	3 RESEARCG OKACE

Address 2:	
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Website:	

Recipient ID:	1414
Union Name:	INT'L BROTHERHOOD OF BOILERMAKERS, IRONSHIP BUILDERS, BLACKSMITHS, FORGER
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Address 2:	
City:	Flatwood, ky 41139 0000
Contact Name:	Dan Hamilton
Telephone:	(606) 836-6610
Facsimile:	
E-mail:	no email
Website:	

Recipient ID:	1414
Union Name:	INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (SUPERVISORS)
Address 1:	LOCAL 1573
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Contact Name:	JOHN MACDONALD
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Recipient ID:	1414
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Facsimile:	(609) 396-8489
E-mail:	CRSD2773@AOL.COM

Website:	
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Recipient ID:	1414
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Website:	

Recipient ID:	1414
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Contact Name:	Carlos SOSA
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Recipient ID:	1414
Union Name:	INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS
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Contact Name:	JOHN LACEY
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Recipient ID:	1414
Union Name:	NATIONAL CONFERENCE OF FIREMEN & OILERS
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Contact Name:	DEAN DEVITA
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Recipient ID:	1414
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Recipient ID:	1414
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Recipient ID:	1414

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Recipient ID:	1414
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E-mail:	NO EMAIL
Website:	

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Recipient ID:	1414
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Recipient ID:	1414
Union Name:	FOP LODGE #37
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E-mail:	vdamato@njtransit.com
Website:	

Part 2: Project Information

Project Type:	Grant	Gross Project Cost:	\$1,097,000,000
Project Number:	NJ-03-0169-00	Adjustment Amt:	\$0
Project Description:	ARC Early System Work Agreement	Total Eligible Cost:	\$1,097,000,000
Recipient Type:	State Agency	Total FTA Amt:	\$14,700,000
FTA Project Mgr:	Ralph A. Branche Jr.	Total State Amt:	\$1,082,300,000
Recipient Contact:	Peter Garino	Total Local Amt:	\$0
New/Amendment:	None Specified	Other Federal Amt:	\$0
Amend Reason:	Initial Application	Special Cond Amt:	\$0
Fed Dom Asst. #:	20500	Special Condition:	None Specified
Sec. of Statute:	5309-5	S.C. Tgt. Date:	None Specified
State Appl. ID:	None Specified	S.C. Eff. Date:	None Specified
Start/End Date:	-	Est. Oblig Date:	None Specified
Recvd. By State:	Jun. 08, 2009	Pre-Award Authority?:	Yes
EO 12372 Rev:	Not Applicable	Fed. Debt Authority?:	No
Review Date:	None Specified	Final Budget?:	No
Planning Grant?:	NO		
Program Date (STIP/UPWP/FTA Prm Plan) :	Sep. 17, 2008		
Program Page:	III-1		
Application Type:	Electronic		
Supp. Agreement?:	No		
Debt. Delinq. Details:			

Urbanized Areas

UZA ID	UZA Name
340010	NEW YORK--NEWARK, NY-NJ-CT

Congressional Districts

State ID	District Code	District Official
34	13	Albio Sires

Project Details

Project Details

Overview

Funds sought under this grant will support the Access to the Region's Core project (ARC). The Baseline Cost Estimate for the ARC project is \$8,699,979,000 in year-of-expenditure dollars.

By allowing for reimbursement of preliminary costs incurred prior to issuance of the Full Funding Grant Agreement (FFGA), the Early Systems Work Agreement (ESWA) will allow the project to award contracts on schedule for early underground tunnel construction and tunnel portal site preparation. In addition to these on schedule contracts, this ESWA also covers efforts for property acquisition; related design; construction management; project administration work; insurance; and other supporting elements. This grant serves three purposes: (1) to outline the components of the ESWA for \$1,352,000,000, the amount needed to advance construction and support activities for the initial tunnel and shaft construction contracts; (2) to formalize the \$3,000,000,000 Section 5309 New Starts Federal contribution to the Project as noted in the FTA's January 27, 2009 letter which approved entry into Final Design and (3) to authorize the reimbursement of Section 5309 New Starts funds to NJ TRANSIT in the amount of \$395,020,000 for initial costs.

JUSTIFICATION FOR ESWA

NJ TRANSIT expects the project to be recommended for an FFGA. The ESWA will allow aspects of the project to begin construction prior to the issuance of the FFGA and allow the project to continue on schedule.

Executing the ESWA will promote ultimate completion of the project more rapidly and at less cost. NJ TRANSIT provided the critical path method (CPM) to FTA that demonstrates 5 months of schedule contingency to maintain the 2017 project completion date. That CPM is dependent on those contracts and other activities that are on the critical path being awarded at specific milestones. Failure to achieve critical path milestones impacts either the completion date or the schedule contingency. Federal funding commitments (such as this ESWA) must be in place in order to award critical path contracts. Project elements included in the ESWA include the Manhattan Tunnel Contract, the Tonnelles Avenue Contract, Property Acquisition and Professional Services during final design. Each of these is on the critical path as described below.

MANHATTAN TUNNELS: The critical path for the Access to the Region's Core Project begins with Manhattan Tunnels. The estimated \$636 million contract (\$511M Base, \$9M Design, \$116M Allocated Contingency) must be awarded by November 2009 in order to maintain the project schedule and project budget of \$8.7 billion. Failure to award the Manhattan Tunnels contract by this date would jeopardize completion of the project in 2017 and would increase costs by approximately \$1 million for each day of delay consistent with the FTA-recommended escalation rate of 4.25 percent annually.

TONNELLES AVENUE UNDERPASS: Construction of the Palisades Tunnel and other adjacent contracts at the same time as the Tonnelles Avenue Underpass would cause serious impacts for the future tunnel contractor, regional traffic and the community. Substantially completing the Tonnelles Avenue Underpass before these other activities will improve traffic flow, haul routes for excavated materials, and contractor access associated with five future contracts. Construction of this Underpass will take advantage of an exceptionally favorable bid climate and advancing the Tonnelles Avenue contract now will also spur greater interest in the future ARC contracts that are advancing through procurement. A Letter of No Prejudice was issued for this project on May 13, 2009 allowing for non-federal expenditures. This ESWA will allow federal funds to be used to support Tonnelles Avenue project.

PROPERTY ACQUISITION: Property acquisition is also on critical path to meeting the overall project completion date. Contractors on the various tunneling contracts cannot have access to the site until property acquisition is completed.

PROFESSIONAL SERVICES - The ESWA scope also includes professional services costs to support contract awards. Subsequent contracts cannot be advertised until design is sufficiently complete. NJ TRANSIT's owner controlled insurance program must be in place to provide contractor insurance prior to the award for the construction of the Manhattan tunnels.

An Early Systems Work Agreement is critical not only to maintain schedule and budget, but also to demonstrate a federal funding commitment to the project to match the local funding commitments that have been in place. The ESWA will begin to unleash more than \$5.7 billion in local funding that has been allocated to the project, generating much-needed jobs and taking advantage of a favorable response from tunneling firms in the prequalification process.

Finally, service disruptions and crowding on trains confront existing commuters everyday, a product of a system that is over capacity. Transit riders deserve the benefits of this project without delay. The construction documents are ready, the local funding is in place, stakeholders support the project - only the federal commitment of the ESWA federal funding is needed to put the project on a path to completion on schedule and on budget.

FULL PROJECT SCOPE

The major elements of the Access to the Region's Core project (ARC) are outlined by geographic segment below.

New Jersey:

o New loop tracks (Secaucus Connection) to connect NJ TRANSIT's Main Line directly to the new ARC tracks west of Frank R. Lautenberg Station. The connecting loop tracks will provide transfer-free ride service to New York City on the Main Line (including MTA Metro-North express service on the Port Jervis Line); NJ TRANSIT's Pascack Valley Line (including New York MTA Metro-North express service to Rockland County); and NJ TRANSIT's Bergen County Line;

o Modifications to Frank R. Lautenberg Station to include a new center platform on the south side of the existing station. This will accommodate transfers between the two new upper-level ARC tracks and the lower-level tracks, servicing the Main Line, Bergen County and Pascack Valley Lines;

o A new rail yard on an inactive brownfield property in Kearny, New Jersey. Train access to the yard will be via a new lead track from the M&E Lines on the west side of the Lower Hack Bridge. The design includes fueling, sanding and car wash facilities.

o Two new ARC tracks just south of AMTRAK's NEC between the west side of Frank R. Lautenberg Station and the west side of the Palisades in New Jersey. From the west side of the Palisades, the new tracks lead to two new ARC tunnels.

Palisades/Hudson River:

o The proposed ARC tunnels will descend and turn southward under the Palisades through Union City and Hoboken. The new tunnels will cross under the Hudson River from Hoboken and under the east shore bulkhead in New York City near West 28th Street, then turn northeasterly and pass under West 34th Street to NYPSE.

New York:

o An expanded New York Penn Station (NYPSE) provides passenger access to New York City Transit's Sixth, Seventh, Eighth Avenue and Broadway subway lines, and the Port Authority Trans-Hudson (PATH) 33rd Street Station via the Herald Square concourse.

ESWA SCOPE

The ESWA will allow the project to advance construction and support activities for the first major underground construction contract (Manhattan Tunnels and cross passages) as well as the Tonnelle Avenue Underpass contract. The Tonnelle Avenue Underpass is scheduled for award in June 2009. In addition, acquisition of property along with overall project design and related support activities would be advanced under this ESWA. These contracts and their support activities entail the activities listed below, which are estimated to cost a total of \$1,352,000,000, including 24% contingency.

o Manhattan Tunnels Design/Build Package - The ESWA scope includes modifications for the Con Ed site and temporary relocation of some Con Ed activities; construction of a slurry wall supported Twelfth Avenue shaft; ground stabilization at the Twelfth Avenue launch shaft site; excavation of Warrington Interlocking Cavern; construction of approximately 21,200 feet of bored tunnels using a hard rock tunnel-boring machine (TBM); five cross passages mined in rock; and lining of the Warrington Interlocking. Work will be conducted between the Twelfth Avenue Shaft and Broadway. The estimated cost of the construction portion of this contract is

\$511,000,000, excluding contingencies. The cost for the design portion of the design build contract (\$9,000,000) is captured in the professional services line item. This is included in budget line item 14.01.10 GUIDEWAY & TRACK ELEMENTS (ESWA).

ò Tonnelle Avenue Underpass - The ESWA scope includes a new underpass structure to carry Route 1&9 over the new ARC tracks and modifications to the building located at 2001 Tonnelle Avenue. The work is located along Tonnelle Avenue just south of the Amtrak Northeast Corridor crossing and east of the Conrail Northern Branch. Project elements include a new structure for Tonnelle Avenue over the proposed ARC tracks; Culverts with a new drainage system; retaining walls; wing walls for the new bridge structure; and retaining walls connecting to the future Palisades Tunnels. The estimated construction cost of this project is \$23,000,000, excluding contingencies. This is included in budget line item 14.01.10 GUIDEWAY & TRACK ELEMENTS (ESWA).

ò Property Acquisition ù The ESWA scope includes the acquisition of all property and easements in New Jersey and New York needed for the ARC construction and operation. The estimated cost of property acquisition in this ESWA is \$243,000,000. This is included in budget line item 14.06.60 ROW, LAND, EXISTING IMPROVEMENTS (ESWA).

ò Professional Services - The ESWA covers professional services expenses for preliminary engineering and extended preliminary engineering activities already expended as well as professional services expenses supporting the final design, permitting, construction management, insurance and wetlands mitigation supporting the overall project scope. The estimated cost of professional services requested under this ESWA is \$250,000,000, excluding contingencies. There is no NJ TRANSIT Force Account in the ESWA. This is included in budget line item 14.08.80 PROFESSIONAL SERVICES (ESWA).

ò Contingency ù In addition to the costs listed above, the program of work covered by this ESWA includes \$325 million in contingency, or 24%. This is included in budget line item 14.09.90 UNALLOCATED CONTINGENCY. This is included in budget line item 14.09.90 UNALLOCATED CONTINGENCY (ESWA).

The ESWA also authorizes the reimbursement of Section 5309 New Starts funds to NJ TRANSIT in the amount of \$395,020,000 (\$14,700,000 from the initial ESWA funding, 47,520,000 for FY09 and \$332,800,000 for FY10 and beyond), representing a 29.22% share of the total ESWA amount.

NEPA

The project's environmental work is complete. The Final Environmental Impact Statement (FEIS) for the project was accepted by the FTA and notice of its availability was published in the November 7, 2008 issue of the Federal Register. The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

NEW STARTS STATUS

The FTA approved the project into the final design phase on January 27, 2009.

STIP

ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.

This project was published in NJ TRANSIT's Federal Program Public Notice, which was published on December 23, 2008 and January 12, 2009.

GRANT IN TEAM

This grant outlines future New Starts funds that will be allocated to the ESWA. All future New Starts funds, including state match are shown in the column labeled "Total Eligible Cost," (\$1,097,000,000). Each year, the "New Starts Amount" will increase by the amount of that year's New Starts allocation. The "Total State Amount" will decrease by the amount of that year's New Starts allocation. In addition to this grant, \$125M of Federal Highway Administration flex funds have been or will be used to fund this project. An additional \$130,000,000 of ARRA funds are anticipated as well. The ARRA funds and the flex funds have been subtracted out of the ESWA cost (\$1,352,000,000). As a result, the "Total Eligible Cost" for this grant is \$1,097,000,000.

The full \$8.7B project anticipates New Starts allocations totaling \$3,000,000,000, as indicated in the FTAÆs Final Design approval letter dated January 27, 2009.

Previous Federal Funding

Previous federal CMAQ funds awarded for ARC Preliminary Engineering include NJ-90-X086 (\$766,000); NJ-95-X002 (\$34,756,000); and NJ-95-X003 (\$94,680,000). Budget Revision to NJ-95-X003 will reduce ARC funding in the grant to \$39,478,000. A grant application of \$130,000,000 of ARRA funds is pending. A grant application of \$50,000,000 of CMAQ funding is also pending.

STATUS

The project received permission to enter final design in January 2009. Three bidders were prequalified for the Manhattan package in May 2009. The Tonnelle Avenue under pass was advertised in March 2009. NJ TRANSIT's Board of Directors approved award of the contract at its May 2009 Board Meeting. NTP is expected in June 2009.

PRE-AWARD AUTHORITY

Pre-award authority is being used for final design and property acquisition as well as the scope of the ESWA. Expenditures as of 3/30/09 on professional services activities during design are \$119 million. Expenditures as of 3/30/09 on property acquisition are \$35 million.

COORDINATION

NJ TRANSIT is coordinating with Port Authority of New York and New Jersey, AMTRAK and New York MTA on this project. Coordination efforts are ongoing. NJ TRANSIT is also coordinating efforts between the Portal Bridge Project and ARC.

CONTACT INFORMATION:

Karen F. Schrempp
Director, Grant Administration and Compliance
NJ TRANSIT
973-491-8057

Status as of June 1, 2009
No new activity

Earmarks

Earmark Details

Earmark ID	Earmark Name	Orig. Balance	Amount Applied
E2008-NWST-038	Trans-Hudson Midtown Corrido	\$14,700,000	\$14,700,000

Number of Earmarks: 1

Total Amount Applied: \$14,700,000

Date Sent for Release: 7/27/2009 12:53:26 PM

Date Released: 8/14/2009

Security**No information found.****Part 3: Budget****Project Budget**

	Quantity	FTA Amount	Tot. Elig. Cost
SCOPE			
140-00 NEW START	0	\$14,700,000.00	\$454,000,000.00
ACTIVITY			
14.01.10 GUIDEWAY & TRACK ELEMENTS (ESWA)	0	\$14,700,000.00	\$454,000,000.00
SCOPE			
140-03 NEW START	0	\$0.00	\$643,000,000.00
ACTIVITY			
14.01.10 GUIDEWAY & TRACK ELEMENTS (ESWA)	0	\$0.00	\$3,000,000.00
14.06.60 ROW, LAND, EXISTING IMPROVEMENTS (ESWA)	0	\$0.00	\$225,000,000.00
14.08.80 PROFESSIONAL SERVICES (ESWA)	0	\$0.00	\$90,000,000.00
14.09.90 UNALLOCATED CONTINGENCY (ESWA)	0	\$0.00	\$325,000,000.00
Estimated Total Eligible Cost:			\$1,097,000,000.00
Federal Share:			\$14,700,000.00
Local Share:			\$1,082,300,000.00

OTHER (Scopes and Activities not included in Project Budget Totals)**None****SOURCES OF FEDERAL FINANCIAL ASSISTANCE**

UZA ID	Accounting Classification	FPC	FY	SEC	Previously Approved	Amendment Amount	Total
340010	2008.47.03.33.1	00	2009	03	\$0.00	\$14,700,000.00	\$14,700,000.00
Total Previously Approved:							\$0.00

Total Amendment Amount:		\$14,700,000.00
Total from all Funding Sources:		\$14,700,000.00

Alternative Fuel Codes

Extended Budget Descriptions

14.01.10	GUIDEWAY & TRACK ELEMENTS (ESWA)	0	\$14,700,000.00	\$454,000,000.00
<p>MANHATTAN TUNNELS</p> <p>The project cost associated with this line item is \$511,000,000, excluding contingencies. The `Total Eligible Cost` for this line item covered in this grant application is \$454,000,000. The balance of the `Total Eligible Cost` will be included in separate federal highway flex funds grant applications. The remaining costs will be included in separate annual FHWA flex funds grant applications.</p> <p>The scope includes modifications for the Con Ed site and temporary relocation of some Con Ed activities; construction of a slurry wall supported Twelfth Avenue shaft; ground stabilization at the Twelfth Avenue launch shaft site for the tunnel boring machine (TBM) launching; excavation of Warrington Interlocking Cavern; construction of approximately 21,200 feet of bored tunnels from 12th Avenue in Manhattan to 6th Avenue using a hard rock tunnel-boring machine; five cross passages mined in rock and lining of the Warrington Interlocking. The cost of construction services are included in this scope(\$511,000,000). The cost for the design portion of this design build contract is captured in the professional services line item.</p> <p>This scope is included in the ESWA.</p> <p>The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.</p> <p>ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.</p>				
14.01.10	GUIDEWAY & TRACK ELEMENTS (ESWA)	0	\$0.00	\$3,000,000.00
<p>TONNELLE AVENUE UNDERPASS</p> <p>The project cost associated with this line item is \$23,000,000, excluding contingencies. The `Total Eligible Cost` for this line item covered in this grant application is \$3,000,000. The balance of the `Total Eligible Cost` is included in the ARRA grant application. The remaining costs will be included in separate annual FHWA flex funds grant applications.</p> <p>The scope includes a new underpass structure to carry Route 1&9 over the new ARC tracks and modifications to the building located at 2001 Tonnelle Avenue. The work is located along Tonnelle Avenue just south of the Amtrak Northeast Corridor crossing and east of the Conrail Northern Branch. Project elements include new structure for Tonnelle Avenue over the proposed ARC tracks; culverts with a new drainage system; retaining walls; wing walls for new bridge structure; and retaining walls connecting to the future Palisades Tunnels.</p> <p>The cost of construction services are included in this scope(\$23,000,000). The cost for design, CM and Project Administration is captured in the professional services line item.</p>				

This scope is included in the ESWA.
The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.

14.06.60	ROW, LAND, EXISTING IMPROVEMENTS (ESWA)	0	\$0.00	\$225,000,000.00
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ESWA PROPERTY ACQUISITION

The project cost associated with this line item is \$243,000,000, excluding contingencies. The `Total Eligible Cost` for this line item covered in this grant application is \$225,000,000. The balance of the `Total Eligible Cost` will be included in separate federal highway flex funds grant applications. The remaining costs will be included in separate annual FHWA flex funds grant applications.

The scope includes the acquisition of all property and easements in New Jersey and New York needed for the ARC construction and operation.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.

14.08.80	PROFESSIONAL SERVICES (ESWA)	0	\$0.00	\$90,000,000.00
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ESWA PROFESSIONAL SERVICES

The project cost associated with this line item is \$250,000,000, excluding contingencies. The `Total Eligible Cost` for this line item covered in this grant application is \$90,000,000. The balance of the `Total Eligible Cost` has been or will be included in NJ-03-0138, the ARRA grant application and federal highway flex funds. The remaining costs will be included in separate annual FHWA flex funds grant applications.

The scope includes professional services expenses for preliminary engineering and extended preliminary engineering activities already expended as well as professional services expenses supporting the project scope for final design, permitting, construction management, insurance and wetlands mitigation for the overall project. Costs for project management and, project administration, and non-NJ TRANSIT Force Account services needed to support the ESWA contracts are also included in the professional service line item.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.

14.09.90	UNALLOCATED CONTINGENCY (ESWA)	0	\$0.00	\$325,000,000.00
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ESWA CONTINGENCY

This line item includes contingencies associated with ESWA work.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.

Changes since the Prior Budget

Unable to find change amount information.

Part 4. Milestones

14.01.10 GUIDEWAY & TRACK ELEMENTS (ESWA) 0 \$14,700,000 \$454,000,000

	Milestone Description	Est. Comp. Date
1.	ADVERTISE	Apr. 26, 2009
	MANHATTAN TUNNELS	
2.	BOARD APPROVAL	Oct. 09, 2009
	MANHATTAN TUNNELS	
3.	NTP	Nov. 26, 2009
	MANHATTAN TUNNELS	
4.	TBM Delivery Date	Apr. 15, 2011
	MANHATTAN TUNNELS	
5.	50% COMPLETE	Jun. 26, 2011
	MANHATTAN TUNNELS	
6.	SUBSTANTIAL COMPLETE	Dec. 31, 2012
	MANHATTAN TUNNELS	
7.	CLOSEOUT	Dec. 09, 2013
	MANHATTAN TUNNELS	

14.01.10 GUIDEWAY & TRACK ELEMENTS (ESWA) 0 \$0 \$3,000,000

	Milestone Description	Est. Comp. Date
1.	ADVERTISE	Mar. 26, 2009
	TONNELLE AVENUE UNDERPASS	
2.	BOARD APPROVAL	May. 11, 2009
	TONNELLE AVENUE UNDERPASS	
3.	NTP	Jun. 23, 2009
	TONNELLE AVENUE UNDERPASS	
4.	50% COMPLETE	Oct. 23, 2010

	TONNELLE AVENUE UNDERPASS	
5.	SUBSTANTIAL COMPLETION	Feb. 12, 2012
	TONNELLE AVENUE UNDERPASS	
6.	CLOSEOUT	Apr. 12, 2012
	TONNELLE AVENUE UNDERPASS	

14.06.60 ROW, LAND, EXISTING IMPROVEMENTS (ESWA) 0 \$0 \$225,000,000

	Milestone Description	Est. Comp. Date
1.	FIRST EXPENDITURE	Apr. 24, 2008
	PROPERTY ACQUISITION	
2.	50% COMPLETE	Dec. 31, 2009
	PROPERTY ACQUISITION	
3.	PARCEL ACQUISITION COMPLETE	Dec. 31, 2010
	PROPERTY ACQUISITION	
4.	CLOSEOUT	Dec. 31, 2013
	PROPERTY ACQUISITION	

14.08.80 PROFESSIONAL SERVICES (ESWA) 0 \$0 \$90,000,000

	Milestone Description	Est. Comp. Date
1.	FIRST EXPENDITURE	Jan. 27, 2009
	ESWA PROFESSIONAL SERVICES	
2.	FINAL EXPENDITURE	Jan. 31, 2011
	ESWA PROFESSIONAL SERVICES	

14.09.90 UNALLOCATED CONTINGENCY (ESWA) 0 \$0 \$325,000,000

	Milestone Description	Est. Comp. Date
1.	FINAL EXPENDITURE	Jan. 30, 2016
	ESWA CONTINGENCY	

Part 5. Environmental Findings

140110 GUIDEWAY & TRACK ELEMENTS (ESWA) 0 \$14,700,000 \$454,000,000

Finding No. 1 - Class I

Draft EIS Date: None Specified
 Final EIS Date: None Specified
 FTA ROD Date: Jan. 14, 2009

140110 GUIDEWAY & TRACK ELEMENTS (ESWA)	0	\$0	\$3,000,000
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Finding No. 1 - Class I

Draft EIS Date: None Specified
 Final EIS Date: None Specified
 FTA ROD Date: Jan. 14, 2009

140660 ROW, LAND, EXISTING IMPROVEMENTS (ESWA)	0	\$0	\$225,000,000
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Finding No. 1 - Class I

Draft EIS Date: None Specified
 Final EIS Date: None Specified
 FTA ROD Date: Jan. 14, 2009

140880 PROFESSIONAL SERVICES (ESWA)	0	\$0	\$90,000,000
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Finding No. 1 - Class I

Draft EIS Date: None Specified
 Final EIS Date: None Specified
 FTA ROD Date: Jan. 14, 2009

140990 UNALLOCATED CONTINGENCY (ESWA)	0	\$0	\$325,000,000
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Finding No. 1 - Class I

Draft EIS Date: None Specified
 Final EIS Date: None Specified
 FTA ROD Date: Jan. 14, 2009

Part 6: Fleet Status

Fixed Route

		Before	Change	After
I.	Active Fleet			
	A. Peak Requirement	0	0	0
	B. Spares	0	0	0
	C. Total (A+B)	0	0	0
	D. Spare Ratio (B/A)	0.00%	0.00%	0.00%
II.	Inactive Fleet			
	A. Other	0	0	0
	B. Pending Disposal	0	0	0
	C. Total (A+B)	0	0	0
III.	Total (I.C and II.C)	0	0	0

NJ TRANSIT sent updated copies of NJ TRANSIT's Fleet Plans to the Federal Transit Administration on March 24, 2009.

The number of Active Vehicles in NJ TRANSIT's Commuter Rail Fleet is 1,095. The Shop margins for the Fleet as per Volume II, page 2 of the Fleet Plan is as follows:

Locomotive Diesels 20%
 Locomotive Electric 20%
 Electric Multiple Units - Arrow III - 20%
 Push Pull Cab Cars - Comets 15%
 Push Pull Cab Cars - Multi-Level 18%

Part 7. FTA Comments

Conditions of Award

Comment Title:	Funding Information
Comment By:	Ralph A Branche, Jr.
Date Created:	Jul. 23, 2009
Date Updated:	None Specified
Ref Section:	Unknown
Comment:	This grant outlines future New Starts funds that will be allocated to the ESWA. All future New Starts funds, including state match are shown in the column labeled "Total Eligible Cost," (\$1,097,000,000). Each year, the "New Starts Amount" will increase by the amount of that year's New Starts allocation. The "Total State Amount" will decrease by the amount of that year's New Starts allocation. In addition to this grant, \$125M of Federal Highway Administration flex funds have been or will be used to fund this project. An additional \$130,000,000 of ARRA funds are anticipated as well. The ARRA funds and the flex funds have been subtracted out of the ESWA cost (\$1,352,000,000). As a result, the "Total Eligible Cost" for this grant is \$1,097,000,000.

Part 8: Results of Reviews

The reviewer did not find any errors

Part 9: Agreement

**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION**

**GRANT AGREEMENT
(FTA G-15, October 1, 2008)**

On the date the authorized U.S. Department of Transportation, Federal Transit Administration (FTA) official's electronic signature is entered for this Grant Agreement, FTA has Awarded Federal assistance in support of the Project described below. Upon Execution of this Grant Agreement by the Grantee named below, the Grantee affirms this FTA Award, and enters into this Grant Agreement with FTA. The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) "Federal Transit Administration Master Agreement," FTA MA(15), October 1, 2008, <http://www.fta.dot.gov/documents/15-Master.pdf>
- (2) The Certifications and Assurances applicable to the Project that the Grantee has selected and provided to FTA, and
- (3) Any Award notification containing special conditions or requirements, if issued.

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE GRANTEE DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING THE DATE OF THIS FTA AWARD SET FORTH HEREIN.

FTA AWARD

FTA hereby awards a Federal grant as follows:

Project No: NJ-03-0169-00

Grantee: NEW JERSEY TRANSIT CORPORATION

Citation of Statute(s) Authorizing Project: 49 USC 5309 - New Starts

Estimated Total Eligible Cost (in U.S. Dollars): \$1,097,000,000

Maximum FTA Amount Awarded [Including All Amendments] (in U.S. Dollars): \$14,700,000

Amount of This FTA Award (in U.S. Dollars): \$14,700,000

Maximum Percentage(s) of FTA Participation:

Percentages of Federal participation are based on amounts included in the Approved Project Budget, modified as set forth in the text following the Project Description.

U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Original Project Certification Date: 7/13/2009

Project Description:

ARC Early System Work Agreement

The Project Description includes information describing the Project within the Project Application submitted to FTA, and the Approved Project Budget, modified by any additional statements displayed in this Grant Agreement, and, to the extent FTA concurs, statements in other documents including Attachments entered into TEAM-Web.

This grant outlines future New Starts funds that will be allocated to the ESWA. All future New Starts funds, including state match are shown in the column labeled "Total Eligible Cost," (\$1,097,000,000). Each year, the "New Starts Amount" will increase by the amount of that year's New Starts allocation. The "Total State Amount" will decrease by the amount of that year's New Starts allocation. In addition to this grant, \$125M of Federal Highway Administration flex funds have been or will be used to fund this project. An additional \$130,000,000 of ARRA funds are anticipated as well. The ARRA funds and the flex funds have been subtracted out of the ESWA cost (\$1,352,000,000). As a result, the "Total Eligible Cost" for this grant is \$1,097,000,000.

Awarded By:
Mr. Anthony G Carr
Deputy Regional Administrator
FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
08/18/2009

EXECUTION OF GRANT AGREEMENT

The Grantee, by executing this Grant Agreement, affirms this FTA Award; adopts and ratifies all statements, representations, warranties, covenants, and materials it has submitted to FTA; consents to this FTA Award; and agrees to all terms and conditions set forth in this Grant Agreement.

By executing this Grant Agreement, I am simultaneously executing any Supplemental Agreement that may be required to effectuate this Grant Agreement.

Executed by:
Peter J Garino
Senior Director of Capital Programming a
NEW JERSEY TRANSIT CORPORATION
08/20/2009

NJ-03-0169-00 Quarterly Narrative Report

Jul. 01, 2010 through Sep. 30, 2010

As Of Nov. 09, 2010

MS/P Report Submitted , FFR Submitted

Part 1: Recipient Information

Project Number:	NJ-03-0169-00
Recipient ID:	1414
Recipient Name:	NEW JERSEY TRANSIT CORPORATION

Address:	ONE PENN PLAZA EAST , NEWARK, NJ 07105 2246
Telephone:	(973) 491-7107
Facsimile:	(973) 461-4481

Part 2: Project Information

Project No:	NJ-03-0169-00
Brief Desc:	ARC Early System Work Agreement
FTA Project Mgr:	Ralph A. Branche Jr.
Start/End Date:	-
Gross Project Cost:	\$1,097,000,000
Adjustment Amt:	\$0
Total Eligible Cost:	\$1,097,000,000
Total FTA Amt:	\$14,700,000
Total State Amt:	\$1,082,300,000
Total Local Amt:	\$0
Other Federal Amt:	\$0

Part 3: Federal Financial Report

Financial Status

	Previous	This Period	Cumulative
A. Federal Cash on Hand at Beginning of Period			\$0
B. Federal Cash Receipts			\$45,520,000
C. Federal Cash Disbursements			\$45,520,000
D. Federal Cash on Hand at End of Period			\$0
E. Total Federal Funds Authorized			\$62,220,000
F. Federal Share of Expenditures	\$44,740,044	\$779,956	\$45,520,000
G. Recipient Share of Expenditures	\$0	\$11,421,458	\$11,421,458
H. Total Expenditures(F + G)	\$44,740,044	\$12,201,414	\$56,941,458
I. Federal Share of Unliquidated Obligations			\$0
J. Recipient Share of Unliquidated Obligations			\$0
K. Total Unliquidated Obligations(I + J)			\$0
L. Total Federal Share (F + I)			\$45,520,000
M. Unobligated Balance of Federal Funds (E - L)			\$16,700,000
N. Total Recipient Share Required			\$1,614,710,068

O. Remaining Recipient Share to be provided N - (G + J)			\$1,603,288,610
P. Federal Program Income on Hand at Beginning of Period			\$0
Q. Total Federal Program income earned			\$0
R. Federal Program income expended in accordance with the deduction alternative			\$0
S. Federal Program income expended in accordance with the addition alternative			\$0
T. Federal Program income expended on allowable Transit Capital and Operating expenses			\$0
U. Federal Unexpended Program income (P + Q - R or s or T)			\$0

Indirect Expense

Type	Fixed
Rate	0.00%
Base	\$0
Amount Charged	\$0
Federal Share	\$0

Part 4. Milestone/Progress Report

		<u>Quantity</u>	<u>FTA Amount</u>	<u>Elig. Proj. Cost</u>
14.01.10	GUIDEWAY & TRACK ELEMENTS (ESWA)	0	\$14,700,000	\$454,000,000

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	NTP	11/26/2009				
	DETAILED DESCRIPTION: MANHATTAN TUNNELS					
2.	TBM Delivery Date	4/15/2011				
	DETAILED DESCRIPTION: MANHATTAN TUNNELS					
3.	50% COMPLETE	6/26/2011				
	DETAILED DESCRIPTION: MANHATTAN TUNNELS					
4.	SUBSTANTIAL COMPLETE	12/31/2012				
	DETAILED DESCRIPTION: MANHATTAN					

	TUNNELS				
5.	CLOSEOUT	12/9/2013			
	DETAILED DESCRIPTION: MANHATTAN TUNNELS				
6.	ADVERTISE	4/26/2009	3/30/2009	1	3/30/2009
	DETAILED DESCRIPTION: MANHATTAN TUNNELS				
7.	BOARD APPROVAL	10/9/2009	11/30/2009	1	
	DETAILED DESCRIPTION: MANHATTAN TUNNELS				
	PROGRESS: FY2009, 4TH QUARTER Coordinated with Con Edison on future development and final design of Block 675. Received technical proposals from the bidders for final design and construction of Manhattan Tunnels on August 17, 2009. Bidders made presentations on September 18, 2009. Addressed Manhattan Bidders RFIs and prepared Addenda. Completed analysis of temporary TBM substation relocation to Block 675. Continue to review technical proposals from all three bidders. Completed geotechnical and environmental borings on Con Edison property. Continue to evaluate potential overbuild loads on ConEd and Hudson Properties for Tunnels.				

		<u>Quantity</u>	<u>FTA Amount</u>	<u>Elig. Proj. Cost</u>
14.01.10	GUIDEWAY & TRACK ELEMENTS (ESWA)	0	\$0	\$3,000,000

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	ADVERTISE	3/26/2009			3/30/2009	
	DETAILED DESCRIPTION: TONNELLE AVENUE UNDERPASS					
2.	BOARD APPROVAL	5/11/2009			5/15/2009	

	DETAILED DESCRIPTION: TONNELLE AVENUE UNDERPASS				
3.	NTP	6/23/2009			6/30/2009
	DETAILED DESCRIPTION: TONNELLE AVENUE UNDERPASS				
4.	50% COMPLETE	10/23/2010			
	DETAILED DESCRIPTION: TONNELLE AVENUE UNDERPASS				
5.	SUBSTANTIAL COMPLETION	2/12/2012			
	DETAILED DESCRIPTION: TONNELLE AVENUE UNDERPASS				
6.	CLOSEOUT	4/12/2012			
	DETAILED DESCRIPTION: TONNELLE AVENUE UNDERPASS				

14.06.60	ROW, LAND, EXISTING IMPROVEMENTS (ESWA)	<u>Quantity</u> 0	<u>FTA Amount</u> \$0	<u>Elig. Proj. Cost</u> \$225,000,000
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	Milestone Description	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	FIRST EXPENDITURE	4/24/2008				
	DETAILED DESCRIPTION: PROPERTY ACQUISITION					
2.	50% COMPLETE	12/31/2009				
	DETAILED DESCRIPTION: PROPERTY ACQUISITION					
3.	PARCEL ACQUISITION COMPLETE	12/31/2010				
	DETAILED DESCRIPTION: PROPERTY ACQUISITION					
4.	CLOSEOUT	12/31/2013				
	DETAILED DESCRIPTION: PROPERTY ACQUISITION					

14.08.80	PROFESSIONAL SERVICES (ESWA)	<u>Quantity</u>	<u>FTA Amount</u>	<u>Elig. Proj. Cost</u>
		0	\$0	\$90,000,000

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	FIRST EXPENDITURE	1/27/2009				
	DETAILED DESCRIPTION: ESWA PROFESSIONAL SERVICES					
2.	FINAL EXPENDITURE	1/31/2011				
	DETAILED DESCRIPTION: ESWA PROFESSIONAL SERVICES					

14.09.90	UNALLOCATED CONTINGENCY (ESWA)	<u>Quantity</u>	<u>FTA Amount</u>	<u>Elig. Proj. Cost</u>
		0	\$0	\$325,000,000

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	FINAL EXPENDITURE	1/30/2016				
	DETAILED DESCRIPTION: ESWA CONTINGENCY					

Exhibit B

DOT**FTA**

U.S. Department of Transportation

Federal Transit Administration

Application

Recipient ID:	1414
Recipient Name:	NEW JERSEY TRANSIT CORPORATION
Project ID:	NJ-03-0169-01
Budget Number:	2 - Budget Prior Approved
Project Information:	ARC GRANT AMENDMENT NJ-03-0169-01

Part 1: Recipient Information

Project Number:	NJ-03-0169-01
Recipient ID:	1414
Recipient Name:	NEW JERSEY TRANSIT CORPORATION
Address:	ONE PENN PLAZA EAST , NEWARK, NJ 07105 2246
Telephone:	(973) 491-7107
Facsimile:	(973) 461-4481

Union Information

Recipient ID:	1414
Union Name:	ATU - LOCAL 819
Address 1:	186 BROOKSIDE AVE.
Address 2:	
City:	IRVINGTON, NJ 07111 0011
Contact Name:	BEN EVANS
Telephone:	(973) 373-2332
Facsimile:	(973) 373-3380
E-mail:	BE819@YAHOO.COM
Website:	

Recipient ID:	1414
Union Name:	ATU - LOCAL 820
Address 1:	128 NORTH STREET
Address 2:	

City:	JERSEY CITY, NJ 07307 0000
Contact Name:	LOU CASTRO
Telephone:	(201) 792-0649
Facsimile:	(201) 963-4538
E-mail:	LOUCASTRO13@AOL.COM
Website:	

Recipient ID:	1414
Union Name:	ATU - LOCAL 821
Address 1:	283 Claremont Avenue
Address 2:	
City:	JERSEY CITY, NJ 07302 0000
Contact Name:	Earl Hardy, JR
Telephone:	(201) 233-9556
Facsimile:	(201) 309-2988
E-mail:	ETJC29@COMAST.NET
Website:	

Recipient ID:	1414
Union Name:	ATU - LOCAL 822
Address 1:	189 SPRUCE STREET
Address 2:	APT. 2B
City:	BLOOMFIELD, NJ 07003 0000
Contact Name:	MICHELE VIGH
Telephone:	(973) 956-7478
Facsimile:	(973) 956-7480
E-mail:	VIGH822@AOL.COM
Website:	

Recipient ID:	1414
Union Name:	ATU - LOCAL 823
Address 1:	610 SALEM AVE
Address 2:	
City:	ELIZABETH, NJ 07208 0000
Contact Name:	Nancy Spence
Telephone:	(908) 884-8221
Facsimile:	(908) 662-1900
E-mail:	NLBSPENCE@OPTONLINE.NET
Website:	

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Recipient ID:	1414
Union Name:	ATU - LOCAL 824
Address 1:	1229 MENDOCINO COURT
Address 2:	
City:	LAKEWOOD, NJ 08701 0000
Contact Name:	JACK HILL
Telephone:	(732) 866-6930
Facsimile:	(NO) FAX-
E-mail:	RONDAPHILL@MSN.COM
Website:	

Recipient ID:	1414
Union Name:	ATU - LOCAL 825
Address 1:	33 SUMMIT AVE
Address 2:	
City:	WALDWICK, NJ 07950 0000
Contact Name:	RICHARD STARK
Telephone:	(201) 986-2249
Facsimile:	(201) 445-6370
E-mail:	FATHEADS7@HOTMAIL.COM
Website:	

Recipient ID:	1414
Union Name:	ATU - LOCAL 880
Address 1:	126 W. KINGS HWY.
Address 2:	
City:	MT. EPHRAIM, NJ 08059 0000
Contact Name:	JOE SULLIVAN
Telephone:	(856) 931-1488
Facsimile:	(856) 931-2285
E-mail:	ATULOCAL880@ATT.NET
Website:	

Recipient ID:	1414
Union Name:	TRANSPORT WORKER'S UNION - LOCAL 225
Address 1:	10-20 BANTA PLACE
Address 2:	ROOM 107
City:	HACKENSACK, NJ 07601 0000
Contact Name:	KAREN FLEMMING
Telephone:	(201) 343-9412

Facsimile:	(210) 343-9484
E-mail:	TWU225@VERIZON.NET
Website:	

Recipient ID:	1414
Union Name:	UTILITY CO-WORKER'S ASSOCIATION
Address 1:	55 WASHINGTON STREET
Address 2:	
City:	BLOOMFIELD, NJ 07003 0000
Contact Name:	NOEL CHRISTMAS
Telephone:	(973) 748-0233
Facsimile:	(973) 748-7881
E-mail:	LOCAL601@COMCAST.NET
Website:	

Recipient ID:	1414
Union Name:	POLICE
Address 1:	FOP LODGE #37
Address 2:	122 SHERWOOD LANE
City:	TOMS RIVER, NJ 08753 0000
Contact Name:	JIM RODGERS
Telephone:	(908) 910-5636
Facsimile:	
E-mail:	PRESIDENT@NJTRANSITFOP37.COM
Website:	

Recipient ID:	1414
Union Name:	AMERICAN TRAIN DISPATCHERS ASS'N. (POWER SUPERVISORS)
Address 1:	219 Park Place
Address 2:	
City:	Irvington, NJ 07111 0000
Contact Name:	Tyrone Wilcher
Telephone:	(908) 668-8488
Facsimile:	
E-mail:	No email
Website:	

Recipient ID:	1414
Union Name:	AMERICAN RAILWAY & AIRWAY SUPERVISORS ASSOCIATION (M OF E)
Address 1:	3 RESEARCG OKACE

Address 2:	
City:	ROCKVILLE, MD 20850 0000
Contact Name:	JOSEPH DERILLO
Telephone:	(301) 948-4970
Facsimile:	
E-mail:	DERILLOJ@TCUNION.ORG
Website:	

Recipient ID:	1414
Union Name:	INT'L BROTHERHOOD OF BOILERMAKERS, IRONSHIP BUILDERS, BLACKSMITHS, FORGER
Address 1:	Po Box 943
Address 2:	
City:	Flatwood, ky 41139 0000
Contact Name:	Dan Hamilton
Telephone:	(606) 836-6610
Facsimile:	
E-mail:	no email
Website:	

Recipient ID:	1414
Union Name:	INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (SUPERVISORS)
Address 1:	LOCAL 1573
Address 2:	16 WILLIS STREET
City:	KEANSBURG,, NJ 07734 0000
Contact Name:	JOHN MACDONALD
Telephone:	(914) 686-8489
Facsimile:	(914) 686-8598
E-mail:	JOHNNYSMACK@MSN.COM
Website:	

Recipient ID:	1414
Union Name:	BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES
Address 1:	PO BOX 1238
Address 2:	
City:	TRENTON, NJ 08067
Contact Name:	SEAN GERIE
Telephone:	(609) 396-8487
Facsimile:	(609) 396-8489
E-mail:	CRSD2773@AOL.COM

Website:	
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Recipient ID:	1414
Union Name:	BROTHERHOOD OF RAILROAD SIGNALMEN
Address 1:	56 SEELEY AVENUE
Address 2:	
City:	KEANSBURG, NJ 07734
Contact Name:	TERRY MAHER
Telephone:	(973) 522-3718
Facsimile:	
E-mail:	TMAHER1973@AOL.COM
Website:	

Recipient ID:	1414
Union Name:	BROTHERHOOD OF RAILWAY CARMEN-DIVISION OF TCU
Address 1:	1116 23RD STREET
Address 2:	
City:	NORTH BERGEN, NJ 07047
Contact Name:	Carlos SOSA
Telephone:	(201) 232-5966
Facsimile:	
E-mail:	CARLOS.M.SOSA@HOTMAIL.COM
Website:	

Recipient ID:	1414
Union Name:	INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS
Address 1:	95 TAYLOR STREET
Address 2:	
City:	EAST HAVEN, CT 06812
Contact Name:	JOHN LACEY
Telephone:	(203) 430-5669
Facsimile:	
E-mail:	JOHNLACEY112@SBCGOAL.NET
Website:	

Recipient ID:	1414
Union Name:	NATIONAL CONFERENCE OF FIREMEN & OILERS
Address 1:	4201 CHRCH ROAD
Address 2:	SUITE #7
City:	MT. LAUREL, NJ 08054

Contact Name:	DEAN DEVITA
Telephone:	(856) 778-4411
Facsimile:	
E-mail:	DEVITASEIU@AOL.COM
Website:	

Recipient ID:	1414
Union Name:	TRANSPORTATION COMMUNICATION INTERNATIONAL UNION
Address 1:	309 A STREET
Address 2:	
City:	WILMINGTON, DE 19801
Contact Name:	LARRY JONES
Telephone:	(302) 498-0959
Facsimile:	
E-mail:	NO EMAIL
Website:	

Recipient ID:	1414
Union Name:	UNITED TRANSPORTATION UNION (T)
Address 1:	48 Main Street
Address 2:	Suite 2AC
City:	Netcong, NJ 07857
Contact Name:	Patrick Reilly
Telephone:	(973) 527-7018
Facsimile:	
E-mail:	preilly@utulocal60.com
Website:	

Recipient ID:	1414
Union Name:	AMERICAN RAILWAY & AIRWAY SUPERVISORS ASSOCIATION (M OF E)
Address 1:	204 RUSH AVE
Address 2:	
City:	WASHINGTON, NJ 07882
Contact Name:	ROBERT WILLIAMS
Telephone:	(908) 575-3116
Facsimile:	
E-mail:	RWILLIAMS@NJTRANSIT.COM
Website:	

Recipient ID:	1414

Union Name:	NJ TRANSIT MERCER ATU 540
Address 1:	600 SLOAN AVE
Address 2:	
City:	TRENTON, NJ 08619
Contact Name:	CYRUS JOHNSON
Telephone:	(609) 689-1300
Facsimile:	(609) 894-8481
E-mail:	BLANK2ME@VERIZON.NET
Website:	

Recipient ID:	1414
Union Name:	TRANSPORT WORKERS UNION
Address 1:	570 Taxter Street
Address 2:	
City:	Elmsford, ny 10523
Contact Name:	John Feltz
Telephone:	(914) 582-0021
Facsimile:	
E-mail:	no email
Website:	

Recipient ID:	1414
Union Name:	AMERICAN TRAIN DISPATCHERS ASSOCIATION
Address 1:	162 PALISADE AVE
Address 2:	APT 2
City:	GARFIELD, NJ 07026
Contact Name:	JOSE LANTIGUA JR
Telephone:	(973) 470-0357
Facsimile:	(NO) FAX-
E-mail:	JLANTIGUA72@HOTMAIL.COM
Website:	

Recipient ID:	1414
Union Name:	BROTHERHOOD OF LOCOMOTIVE ENGINEERS
Address 1:	
Address 2:	10 ESTEL PLACE
City:	GREEN BROOK, NJ 08812
Contact Name:	RICHARD DARCY
Telephone:	(732) 682-1408
Facsimile:	

E-mail:	RICHARDY@AOL.COM
Website:	

Recipient ID:	1414
Union Name:	INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
Address 1:	239 MC CLELLAN STREET
Address 2:	
City:	PHILADELPHIA, PA 19148
Contact Name:	ARTHUR DAVIDSON
Telephone:	(845) 534-8853
Facsimile:	
E-mail:	AJD78PLD@AOL.COM
Website:	

Recipient ID:	1414
Union Name:	SHEET METAL WORKERS INTERNATIONAL ASSOCIATION
Address 1:	PO BOX 107
Address 2:	
City:	LAKE HOPATCONG, NJ 07849
Contact Name:	ANDREW MCMASTER
Telephone:	(973) 491-8736
Facsimile:	
E-mail:	MCVIDEO@OPTONLINE.NET
Website:	

Recipient ID:	1414
Union Name:	TRANSPORTATION COMMUNICATION INTERNATIONAL UNION
Address 1:	309 A STREET
Address 2:	
City:	WILMINGTON, DE 19801
Contact Name:	JONES LARRY
Telephone:	(302) 498-0959
Facsimile:	(NO) FAX-
E-mail:	NO EMAIL
Website:	

Recipient ID:	1414
Union Name:	UNITED TRANSPORTATION UNION (Y)
Address 1:	102-44 183 PLACE
Address 2:	

City:	HOLLIS, NY 11423
Contact Name:	MARK WOODSON
Telephone:	(718) 487-4276
Facsimile:	(NO) FAX-
E-mail:	NO EMAIL
Website:	

Recipient ID:	1414
Union Name:	POLICE
Address 1:	PBA Local #304
Address 2:	PO Box 1082
City:	Rahway, NJ 07065
Contact Name:	John Feehan
Telephone:	(732) 664-1062
Facsimile:	
E-mail:	pba34@comcast.net
Website:	njtransitpba304.com

Recipient ID:	1414
Union Name:	N.J. STATE JOINT COUNCIL - ATU
Address 1:	525 BOULEVARD
Address 2:	
City:	KENILWORTH, NJ 07033
Contact Name:	JOHN COSTA
Telephone:	(908) 276-4667
Facsimile:	(908) 276-4225
E-mail:	JCOSTAATU@GMAIL.COM
Website:	

Recipient ID:	1414
Union Name:	FOP LODGE #37
Address 1:	100 S. Broadway Ave.
Address 2:	
City:	Camden, NJ 08105
Contact Name:	Vince D'Amato
Telephone:	(856) 963-210
Facsimile:	(856) 963-9244
E-mail:	vdamato@njtransit.com
Website:	

Part 2: Project Information

Project Type:	Grant	Gross Project Cost:	\$579,930,068
Project Number:	NJ-03-0169-01	Adjustment Amt:	\$0
Project Description:	ARC GRANT AMENDMENT NJ-03-0169-01	Total Eligible Cost:	\$579,930,068
Recipient Type:	State Agency	Total FTA Amt:	\$47,520,000
FTA Project Mgr:	Ralph A. Branche Jr.	Total State Amt:	\$532,410,068
Recipient Contact:	Peter Garino	Total Local Amt:	\$0
New/Amendment:	Amendment	Other Federal Amt:	\$0
Amend Reason:	Increase Award	Special Cond Amt:	\$0
Fed Dom Asst. #:	20500	Special Condition:	None Specified
Sec. of Statute:	5309-5	S.C. Tgt. Date:	None Specified
State Appl. ID:	None Specified	S.C. Eff. Date:	None Specified
Start/End Date:	Apr. 24, 2008 - Jan. 30, 2016	Est. Oblig Date:	None Specified
Recvd. By State:	Dec. 16, 2009	Pre-Award Authority?:	Yes
EO 12372 Rev:	Not Applicable	Fed. Debt Authority?:	No
Review Date:	None Specified	Final Budget?:	No
Planning Grant?:	NO		
Program Date (STIP/UPWP/FTA Prm Plan):	Sep. 17, 2009		
Program Page:	III-1		
Application Type:	Electronic		
Supp. Agreement?:	No		
Debt. Delinq. Details:			

Urbanized Areas

UZA ID	UZA Name
340010	NEW YORK--NEWARK, NY-NJ-CT

Congressional Districts

State ID	District Code	District Official
34	13	Albio Sires

Project Details

ARC NEW STARTS GRANT AMENDMENT
NJ-03-0169-01

NJ TRANSIT is requesting an amendment to the Access to the Region's Core (ARC) New Starts grant NJ-03-0169, in the amount of \$579,930,068. The amendment will increase the available FTA New Starts funds by \$47,520,000 up from \$14,700,000. This amendment will increase this grant up to \$1.676 billion from \$1.097 billion. This local match to this amendment will come from the Port Authority of New York and New Jersey (Port Authority)(\$866,000,000) and from the New Jersey Transportation Trust Fund (\$215,910,068).

This amendment will also support an increase in scope and authorized amount under the Early Systems Work Agreement (ESWA) for the ARC project. Scope changes include adding line items for Palisades Tunnel Construction, Amtrak Tower Utility Relocation, and Kearny Yard Earthwork. Costs and funding for existing line items for professional services, Tonnelle Avenue construction, Manhattan Tunnel construction, real estate acquisition and contingencies are also revised to reflect most recent data.

This amendment when coupled with other obligated and proposed funds will increase the authorized amount of the ARC ESWA to \$2.117 billion from \$1.352 billion. As a result, an increase in the authorized amount of Section 5309 New Starts funds to NJ TRANSIT by \$206,069,932 to a total of \$601,089,932 for initial costs. This includes \$200,000,000 of new commitments from the New Starts program and \$6,069,932 of prior New Starts funding used for Preliminary Engineering from a grant that has since closed. The prior ESWA New Starts authorized amount was \$395,000,000.

The Baseline Cost Estimate for the ARC project is \$8,699,979,000 in year-of-expenditure dollars.

JUSTIFICATION FOR AMENDMENT

Executing the amendment will promote ultimate completion of the project more rapidly and at less cost. The award of the Manhattan Tunnel contract (which was included in the original ESWA) has incurred an unanticipated delay resulting in a cascading delay to the overall project schedule. The project elements being included through this amendment (Palisades Tunnels, Amtrak Tower Utility Relocation, and Kearny Yard Earthwork) remain on critical path to maintain the new estimated completion date for the project. NJ TRANSIT's February 2010 ARC Monthly report will include a new completion date of 2018 when it is released on March 30, 2010. Failure to achieve critical path milestones for project components included in this amendment impacts either the overall project completion date or the schedule contingency. Required funding commitments must be in place in order to award critical path contracts. Project elements included in this amendment include the Palisades Tunnel Contract, the Amtrak Tower Utility Relocation, and Kearny Yard Earthwork. A more detailed justification for each contract is provided below.

PALISADES TUNNELS - This contract is the second of three design-build tunnel segments and a prerequisite for the signal, power, communication, and track system contracts that follow. Additionally, the Palisades Tunnel contract includes the Hoboken Shaft, which will serve as the launch site for the Hudson River TBM.

AMTRAK TOWERS RELOCATION - This contract is a prerequisite for several subsequent contracts. Amtrak's existing 138kV transmission lines are located within 50 feet of the Northeast Corridor and the future right-of-way of the ARC project. New foundations and towers must be installed and the transmission lines relocated to make the property available for construction of the new viaducts, bridges, and embankments for the ARC tracks.

KEARNY YARD EARTHWORK - This contract is on the critical path and is required now to prepare the site to receive muck from the Manhattan Tunnels contract approved in the first Early Systems Work Agreement. Kearny Yard will be used as a mid-day storage yard for trains using the ARC station. The rail yard design requires raising the overall elevation of the site by more than 20 feet, which will be accomplished by depositing muck on the site from all three tunnel contracts.

CONTINGENCY - Authorization of appropriate levels of contingency under the ESWA is required to support the critical path projects above. The level of contingency in the ESWA accounts for the opening of bids for Tonnelle Avenue, Manhattan and Palisades Tunnels; progress on property acquisition; and more advanced design estimates for the Amtrak Tower Relocation, and Kearny Yard Earthwork contracts.

This amendment is critical not only to maintain schedule and budget, but also to demonstrate a federal funding

commitment to the project to match the local funding commitments that have been in place. The amendment will continue to unleash more than \$5.7 billion in non-New Starts and local funding that has been allocated to the project, generating much-needed jobs and taking advantage of a favorable response from tunneling firms in the prequalification process.

Finally, service disruptions and crowding on trains confront existing commuters everyday, a product of a system that is over capacity. Transit riders deserve the benefits of this project without delay. The construction documents are ready, the local funding is in place, stakeholders support the project - only the additional federal commitment of this amendment is needed to put the project on a path to completion on schedule and on budget.

AMENDMENT SCOPE CHANGES

The amendment will allow the project to advance construction and support activities for the first major underground construction contracts (Manhattan and Palisades Tunnels contracts) as well as supporting work for Tonnelles Avenue Underpass, the Amtrak Towers Utility Relocation, and Kearny Yard Earthwork. In addition, acquisition of property along with overall project design and related support activities would be advanced under this amendment. These contracts and their support activities entail the activities listed below, which are estimated to cost a total of \$2,117,050,000 including 9.6% in contingencies.

ò Manhattan Tunnels Design/Build Package - The scope includes modifications for the Con Ed site and temporary relocation of some Con Ed activities; construction of a slurry wall supporting Twelfth Avenue shaft; ground stabilization at the Twelfth Avenue launch shaft site for the tunnel boring machine (TBM) launching; excavation of Warrington Interlocking cavern; construction of approximately 21,200 feet of bored tunnels from 12th Avenue in Manhattan to 6th Avenue using a hard rock tunnel-boring machine; five cross passages mined in rock and lining of the Warrington Interlocking. The total project cost of Manhattan Tunnel is \$611.773 million (including soft costs and allocated contingency). This is a change from the previous total project cost of \$650.084 million. The reason for the decrease in cost is due to the receipt of bids on the project. The bid price was \$583 million, including \$16.313 million of as directed contingency. This package cost is funded by \$571.475 million for direct costs (including the design/build contract work of \$566.687 million and \$4.788 million for utilities) in this and other grants, plus \$23.985 million from the professional services line items in this and other grants, plus \$16.313 million from the contingency line item in this grant.

ò Tonnelles Avenue Underpass - The ESWA scope includes a new underpass structure to carry Route 1&9 over the new ARC tracks and modifications to the building located at 2001 Tonnelles Avenue. The work is located along Tonnelles Avenue just south of the Amtrak Northeast Corridor crossing and east of the Conrail Northern Branch. Project elements include a new structure for Tonnelles Avenue over the proposed ARC tracks; Culverts with a new drainage system; retaining walls; wing walls for the new bridge structure; and retaining walls connecting to the future Palisades Tunnels. The total project cost of Tonnelles Avenue is \$23.171 million (including soft costs and allocated contingency). This is a change from the previous total project cost of \$30.296 million. The reduced cost is due to bids coming in lower than expected. This cost is funded by \$18.803 million for direct costs in this and other grants, plus \$4.368 million from the professional services line items in this and other grants.

ò Palisades Tunnels Design/Build Package - The ESWA scope includes excavation of an open-cut approach from the Tonnelles Avenue underpass and construction of construction portal; bored tunnels using a hard rock tunnel-boring machine (TBM); cross passages mined in rock; lining of TBM tunnel and the construction of the Hoboken Fan Plant shaft. Work will be conducted in between the Tonnelles Avenue portal to the Hoboken shaft. The total project cost of Palisades Tunnel is \$280.398 million (including soft costs and allocated contingency). The bid for the contract was \$258.786 million, including \$13.138 million of as directed contingency. This cost is funded by \$246.601 million for direct costs (including the design/build contract work of \$245.648 million and \$0.953 million for utilities) in this and other grants, plus \$20.659 million from the professional services line items in this and other grants, plus \$13.138 million from the allocated contingency line item in this grant.

ò Amtrak Tower Utility Relocation- The ESWA scope includes construction of new, relocated towers supporting the Amtrak 138kV power line, which are to replace existing towers conflicting with the proposed Norfolk Southern and ARC tracks. The work is located on the East side of the Hackensack River along the west side of the Boonton Line on PSE&G property and on Norfolk Southern property at the intersection of the North East Corridor and County Road near Croxton Yard. The total project cost of AMTRAK Towers Utilities Relocation is \$53.23

million (including soft costs and allocated contingency). This cost is funded by \$39.977 million for direct costs from this and other grants, plus \$2.377 million from the professional services line items in this and other grants, plus \$10.876 million from the allocated contingency line item in this grant.

ò Kearny Yard Earthwork - The ESWA scope includes the preparation of the Kearny Yard site to receive excavation spoils from the tunnel and cavern excavation contracts. The contract covers site preparation, including installing wick drains and collection blanket to accommodate building the site embankment; materials handling to prepare and distribute embankment materials from other project contract sites; staged placement of the fill as extracted by the tunnel boring machines, cavern drill and blast operation and other project excavation such as shafts and entrances as surcharge on the Kearny Yard and Northeast Corridor sites. Work will be conducted in the vicinity of the west bank of the Hackensack River south of the Northeast Corridor and east of NJ Route 7. Other project elements include construction of retaining walls; and internal roads throughout the parcel. The total project cost of Kearny Yard Earthwork is \$108.808 million (including soft costs and allocated contingency). This cost is funded by \$96.709 million for direct costs from this and other grants, plus \$5.607 million from the professional services line items in this and other grants, plus \$6.492 million from the allocated contingency line item in this grant.

ò Property Acquisition ù The ESWA scope includes the acquisition of all property and easements in New Jersey and New York needed for the ARC project as well as related costs such as relocation expenses. The total project cost of Land Acquisition is \$538.8 million (including soft costs and allocated contingency). This cost is funded by \$414.8 million for direct costs from this and other grants, plus \$13 million from the professional services line items in this and other grants, plus \$111 million from the contingency line item in this grant.

ò Professional Services - The ESWA covers professional services expenses for preliminary engineering and extended preliminary engineering activities already expended as well as professional services expenses supporting the final design, permitting, construction management, insurance for the entire projectÆs scope and wetlands mitigation supporting the overall project scope. The scope also includes professional services activities in support of railcar and locomotive procurements such as design, engineering, support and administration. The scope also includes the costs for staff and the purchase of materials and services required to support professional services and the overall project. The ESWA includes \$525.6449 million for professional services.

ò Contingency ù The program of work covered by this ESWA includes \$203.041 million in contingency, or 9.6% of the ESWA \$2.117 billion total, including both allocated contingencies described above and unallocated contingency.

NEPA

The projectÆs environmental work is complete. The Final Environmental Impact Statement (FEIS) for the project was accepted by the FTA and notice of its availability was published in the November 7, 2008 issue of the Federal Register. The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

NEW STARTS STATUS

The FTA approved the project into the final design phase on January 27, 2009.

STIP

ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.

This project was published in NJ TRANSITÆs Federal Program Public Notice, which was published on December 23, 2008 and January 12, 2009.

GRANT IN TEAM

The full \$8.7B project anticipates New Starts allocations totaling \$3,000,000,000, as indicated in the FTAÆs Final Design approval letter dated January 27, 2009.

This grant, as amended, outlines New Starts funds that will be allocated under the ESWA. All future New Starts funds, including state match are shown in the column labeled òTotal Eligible Cost,ö (\$1,676,930,068). Each year, the òNew Starts Amountö will increase by the amount of that yearÆs New Starts allocation. The òTotal

State Amountö will decrease by the amount of that yearÆs New Starts allocation. In addition to this grant, \$304,050,000 of Federal Highway Administration flex funds have been or will be used to fund this project. The following is the breakdown of the \$304,050,000: Prior CMAQ funding awarded for PE consists of FY 2007 funds in the amount of \$34,756,000 from NJ-95-X002, \$766,000 from NJ-90-X086, and \$64,478,000 from NJ-95-X003 (A budget revision is pending to reduce NJ-95-X003 to \$64,478,000 from \$77,680,000). In addition, FY 2009 CMAQ funds (non-PE) were awarded in the amount of \$50,000,000(NJ-95-X008). Future funding will also be requested, specifically, FY 2010 funds in the amount of \$75,000,000 and FY 2011 funds in the amount of \$79,050,000.

An additional \$130,000,000 of ARRA funds have been awarded under NJ-96-X002. A closed New Start grant provided \$6,069,932. The ARRA funds (\$130,000,000), the flex funds (\$304,050,000) and the closed New Starts grant (\$6,069,932)are not included in the total eligible cost of this grant as amended. As a result, the öTotal Eligible Cost" for this grant, as amended, is \$1,676,930,068.

Highway Flex funds and NJ-03-0138 have or will use toll credit as local match. ARRA funds dedicated to ARC did not require local match. New Start funds in this grant will be matched with State Transportation Trust Funds (TTF)(\$215,910,068) and funds from the Port Authority of NY and NJ (PANYJ)(\$866,000,000).

STATUS

Tonnelle Avenue construction is underway. Manhattan Tunnels Design Build contract was advertised in March 2009 and final technical proposals were received in October 2009. Bids were received on November 4, 2009 and the contract award is awaiting public notice of the eminent domain process for Manhattan properties. Palisades Tunnels Design Build contract was advertised in June 2009 and bids were received on December 14, 2009. The Palisades Tunnels contract award is pending the Federal Transit AdministrationÆs approval of an amended Early Systems Work Agreement. Final design work continues on the remaining packages. Property acquisition is also underway. Proposals were received in September 2009 for the purchase of multilevel railcars.

COORDINATION

NJ TRANSIT is coordinating with Port Authority of New York and New Jersey, AMTRAK and New York MTA on this project. Coordination efforts are ongoing. NJ TRANST is also coordinating efforts between the Portal Bridge Project and ARC.

CONTACT INFORMATION:

Karen F. Schrempp
 Director, Grant Administration and Compliance
 NJ TRANSIT
 973-491-8057

Status as of Nov 1, 2009

No new activity.

----- ORIGINAL GRANT

Project Details

Overview

Funds sought under this grant will support the Access to the Region's Core project (ARC). The Baseline Cost Estimate for the ARC project is \$8,699,979,000 in year-of-expenditure dollars.

By allowing for reimbursement of preliminary costs incurred prior to issuance of the Full Funding Grant

Agreement (FFGA), the Early Systems Work Agreement (ESWA) will allow the project to award contracts on schedule for early underground tunnel construction and tunnel portal site preparation. In addition to these on schedule contracts, this ESWA also covers efforts for property acquisition; related design; construction management; project administration work; insurance; and other supporting elements. This grant serves three purposes: (1) to outline the components of the ESWA for \$1,352,000,000, the amount needed to advance construction and support activities for the initial tunnel and shaft construction contracts; (2) to formalize the \$3,000,000,000 Section 5309 New Starts Federal contribution to the Project as noted in the FTAÆs January 27, 2009 letter which approved entry into Final Design and (3) to authorize the reimbursement of Section 5309 New Starts funds to NJ TRANSIT in the amount of \$395,020,000 for initial costs.

JUSTIFICATION FOR ESWA

NJ TRANSIT expects the project to be recommended for an FFGA. The ESWA will allow aspects of the project to begin construction prior to the issuance of the FFGA and allow the project to continue on schedule.

Executing the ESWA will promote ultimate completion of the project more rapidly and at less cost. NJ TRANSIT provided the critical path method (CPM) to FTA that demonstrates 5 months of schedule contingency to maintain the 2017 project completion date. That CPM is dependent on those contracts and other activities that are on the critical path being awarded at specific milestones. Failure to achieve critical path milestones impacts either the completion date or the schedule contingency. Federal funding commitments (such as this ESWA) must be in place in order to award critical path contracts. Project elements included in the ESWA include the Manhattan Tunnel Contract, the Tonnelles Avenue Contract, Property Acquisition and Professional Services during final design. Each of these is on the critical path as described below.

MANHATTAN TUNNELS: The critical path for the Access to the RegionÆs Core Project begins with Manhattan Tunnels. The estimated \$636 million contract (\$511M Base, \$9M Design, \$116M Allocated Contingency) must be awarded by November 2009 in order to maintain the project schedule and project budget of \$8.7 billion. Failure to award the Manhattan Tunnels contract by this date would jeopardize completion of the project in 2017 and would increase costs by approximately \$1 million for each day of delay consistent with the FTA-recommended escalation rate of 4.25 percent annually.

TONNELLES AVENUE UNDERPASS: Construction of the Palisades Tunnel and other adjacent contracts at the same time as the Tonnelles Avenue Underpass would cause serious impacts for the future tunnel contractor, regional traffic and the community. Substantially completing the Tonnelles Avenue Underpass before these other activities will improve traffic flow, haul routes for excavated materials, and contractor access associated with five future contracts. Construction of this Underpass will take advantage of an exceptionally favorable bid climate and advancing the Tonnelles Avenue contract now will also spur greater interest in the future ARC contracts that are advancing through procurement. A Letter of No Prejudice was issued for this project on May 13, 2009 allowing for non-federal expenditures. This ESWA will allow federal funds to be used to support Tonnelles Avenue project.

PROPERTY ACQUISITION: Property acquisition is also on critical path to meeting the overall project completion date. Contractors on the various tunneling contracts cannot have access to the site until property acquisition is completed.

PROFESSIONAL SERVICES - The ESWA scope also includes professional services costs to support contract awards. Subsequent contracts cannot be advertised until design is sufficiently complete. NJ TRANSIT's owner controlled insurance program must be in place to provide contractor insurance prior to the award for the construction of the Manhattan tunnels.

An Early Systems Work Agreement is critical not only to maintain schedule and budget, but also to demonstrate a federal funding commitment to the project to match the local funding commitments that have been in place. The ESWA will begin to unleash more than \$5.7 billion in local funding that has been allocated to the project, generating much-needed jobs and taking advantage of a favorable response from tunneling firms in the prequalification process.

Finally, service disruptions and crowding on trains confront existing commuters everyday, a product of a system that is over capacity. Transit riders deserve the benefits of this project without delay. The construction documents are ready, the local funding is in place, stakeholders support the project ð only the federal commitment of the ESWA federal funding is needed to put the project on a path to completion on schedule and on budget.

FULL PROJECT SCOPE

The major elements of the Access to the Region's Core project (ARC) are outlined by geographic segment below.

New Jersey:

ò New loop tracks (Secaucus Connection) to connect NJ TRANSIT's Main Line directly to the new ARC tracks west of Frank R. Lautenberg Station. The connecting loop tracks will provide transfer-free ride service to New York City on the Main Line (including MTA Metro-North express service on the Port Jervis Line); NJ TRANSIT's Pascack Valley Line (including New York MTA Metro-North express service to Rockland County); and NJ TRANSIT's Bergen County Line;

ò Modifications to Frank R. Lautenberg Station to include a new center platform on the south side of the existing station. This will accommodate transfers between the two new upper-level ARC tracks and the lower-level tracks, servicing the Main Line, Bergen County and Pascack Valley Lines;

ò A new rail yard on an inactive brownfield property in Kearny, New Jersey. Train access to the yard will be via a new lead track from the M&E Lines on the west side of the Lower Hack Bridge. The design includes fueling, sanding and car wash facilities.

ò Two new ARC tracks just south of AMTRAK's NEC between the west side of Frank R. Lautenberg Station and the west side of the Palisades in New Jersey. From the west side of the Palisades, the new tracks lead to two new ARC tunnels.

Palisades/Hudson River:

ò The proposed ARC tunnels will descend and turn southward under the Palisades through Union City and Hoboken. The new tunnels will cross under the Hudson River from Hoboken and under the east shore bulkhead in New York City near West 28th Street, then turn northeasterly and pass under West 34th Street to NYPSE.

New York:

ò An expanded New York Penn Station (NYPSE) provides passenger access to New York City Transit's Sixth, Seventh, Eighth Avenue and Broadway subway lines, and the Port Authority Trans-Hudson (PATH) 33rd Street Station via the Herald Square concourse.

ESWA SCOPE

The ESWA will allow the project to advance construction and support activities for the first major underground construction contract (Manhattan Tunnels and cross passages) as well as the Tonnelle Avenue Underpass contract. The Tonnelle Avenue Underpass is scheduled for award in June 2009. In addition, acquisition of property along with overall project design and related support activities would be advanced under this ESWA. These contracts and their support activities entail the activities listed below, which are estimated to cost a total of \$1,352,000,000, including 24% contingency.

ò Manhattan Tunnels Design/Build Package - The ESWA scope includes modifications for the Con Ed site and temporary relocation of some Con Ed activities; construction of a slurry wall supported Twelfth Avenue shaft; ground stabilization at the Twelfth Avenue launch shaft site; excavation of Warrington Interlocking Cavern; construction of approximately 21,200 feet of bored tunnels using a hard rock tunnel-boring machine (TBM); five cross passages mined in rock; and lining of the Warrington Interlocking. Work will be conducted between the Twelfth Avenue Shaft and Broadway. The estimated cost of the construction portion of this contract is \$511,000,000, excluding contingencies. The cost for the design portion of the design build contract (\$9,000,000) is captured in the professional services line item. This is included in budget line item 14.01.10 GUIDEWAY & TRACK ELEMENTS (ESWA).

ò Tonnelle Avenue Underpass - The ESWA scope includes a new underpass structure to carry Route 1&9 over the new ARC tracks and modifications to the building located at 2001 Tonnelle Avenue. The work is located

along Tonnelle Avenue just south of the Amtrak Northeast Corridor crossing and east of the Conrail Northern Branch. Project elements include a new structure for Tonnelle Avenue over the proposed ARC tracks; Culverts with a new drainage system; retaining walls; wing walls for the new bridge structure; and retaining walls connecting to the future Palisades Tunnels. The estimated construction cost of this project is \$23,000,000, excluding contingencies. This is included in budget line item 14.01.10 GUIDEWAY & TRACK ELEMENTS (ESWA).

ò Property Acquisition ù The ESWA scope includes the acquisition of all property and easements in New Jersey and New York needed for the ARC construction and operation. The estimated cost of property acquisition in this ESWA is \$243,000,000. This is included in budget line item 14.06.60 ROW, LAND, EXISTING IMPROVEMENTS (ESWA).

ò Professional Services - The ESWA covers professional services expenses for preliminary engineering and extended preliminary engineering activities already expended as well as professional services expenses supporting the final design, permitting, construction management, insurance and wetlands mitigation supporting the overall project scope. The estimated cost of professional services requested under this ESWA is \$250,000,000, excluding contingencies. There is no NJ TRANSIT Force Account in the ESWA. This is included in budget line item 14.08.80 PROFESSIONAL SERVICES (ESWA).

ò Contingency ù In addition to the costs listed above, the program of work covered by this ESWA includes \$325 million in contingency, or 24%. This is included in budget line item 14.09.90 UNALLOCATED CONTINGENCY. This is included in budget line item 14.09.90 UNALLOCATED CONTINGENCY (ESWA).

The ESWA also authorizes the reimbursement of Section 5309 New Starts funds to NJ TRANSIT in the amount of \$395,020,000 (\$14,700,000 from the initial ESWA funding, 47,520,000 for FY09 and \$332,800,000 for FY10 and beyond), representing a 29.22% share of the total ESWA amount.

NEPA

The project's environmental work is complete. The Final Environmental Impact Statement (FEIS) for the project was accepted by the FTA and notice of its availability was published in the November 7, 2008 issue of the Federal Register. The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

NEW STARTS STATUS

The FTA approved the project into the final design phase on January 27, 2009.

STIP

ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.

This project was published in NJ TRANSIT's Federal Program Public Notice, which was published on December 23, 2008 and January 12, 2009.

GRANT IN TEAM

This grant outlines future New Starts funds that will be allocated to the ESWA. All future New Starts funds, including state match are shown in the column labeled "Total Eligible Cost," (\$1,097,000,000). Each year, the "New Starts Amount" will increase by the amount of that year's New Starts allocation. The "Total State Amount" will decrease by the amount of that year's New Starts allocation. In addition to this grant, \$125M of Federal Highway Administration flex funds have been or will be used to fund this project. An additional \$130,000,000 of ARRA funds are anticipated as well. The ARRA funds and the flex funds have been subtracted out of the ESWA cost (\$1,352,000,000). As a result, the "Total Eligible Cost" for this grant is \$1,097,000,000.

The full \$8.7B project anticipates New Starts allocations totaling \$3,000,000,000, as indicated in the FTA's Final Design approval letter dated January 27, 2009.

Previous Federal Funding

Previous federal CMAQ funds awarded for ARC Preliminary Engineering include NJ-90-X086 (\$766,000); NJ-95-X002 (\$34,756,000); and NJ-95-X003 (\$94,680,000). Budget Revision to NJ-95-X003 will reduce ARC funding in the grant to \$39,478,000. A grant application of \$130,000,000 of ARRA funds is pending. A grant application of \$50,000,000 of CMAQ funding is also pending.

STATUS

The project received permission to enter final design in January 2009. Three bidders were prequalified for the Manhattan package in May 2009. The Tonnelle Avenue under pass was advertised in March 2009. NJ TRANSIT's Board of Directors approved award of the contract at its May 2009 Board Meeting. NTP is expected in June 2009.

PRE-AWARD AUTHORITY

Pre-award authority is being used for final design and property acquisition as well as the scope of the ESWA. Expenditures as of 3/30/09 on professional services activities during design are \$119 million. Expenditures as of 3/30/09 on property acquisition are \$35 million.

COORDINATION

NJ TRANSIT is coordinating with Port Authority of New York and New Jersey, AMTRAK and New York MTA on this project. Coordination efforts are ongoing. NJ TRANSIT is also coordinating efforts between the Portal Bridge Project and ARC.

CONTACT INFORMATION:

Karen F. Schrempp
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 NJ TRANSIT
 973-491-8057

Status as of June 1, 2009
 No new activity

Earmarks

Earmark Details

Earmark ID	Earmark Name	Orig. Balance	Amount Applied
E2009-NWST-049	Trans-Hudson Midtown Corrido	\$47,520,000	\$47,520,000

Number of Earmarks: 1

Total Amount Applied: \$47,520,000

Date Sent for Release: 4/8/2010 9:25:42 AM

Date Released: 4/14/2010

Security

No information found.

Part 3: Budget

Project Budget

	Quantity	FTA Amount	Tot. Elig. Cost
<u>SCOPE</u>			
140-00 NEW START	0	\$15,700,000.00	\$471,474,550.00
<u>ACTIVITY</u>			
14.01.10 GUIDEWAY & TRACK ELEMENTS -MANHATTAN TUNNEL	0	\$15,700,000.00	\$471,474,550.00
<u>SCOPE</u>			
140-03 NEW START	0	\$44,520,000.00	\$696,348,968.00
<u>ACTIVITY</u>			
14.01.10 GUIDEWAY & TRACK ELEMENTS - TONNELLE AVE	0	\$0.00	\$920,000.00
14.06.60 ROW, LAND, EXISTING IMPROVEMENTS	0	\$0.00	\$399,800,000.00
14.08.80 PROFESSIONAL SERVICES	0	\$44,520,000.00	\$250,407,968.00
14.09.90 UNALLOCATED CONTINGENCY	0	\$0.00	\$45,221,000.00
<u>SCOPE</u>			
140-04 NEW START	0	\$1,000,000.00	\$221,601,000.00
<u>ACTIVITY</u>			
14.01.10 GUIDEWAY & TRACK ELEMENTS - PALISADES TUNNELS	0	\$1,000,000.00	\$221,601,000.00
<u>SCOPE</u>			
140-05 NEW START	0	\$0.00	\$34,977,000.00
<u>ACTIVITY</u>			
14.04.40 SITEWORK & SPECIAL CONDITIONS-AMTRAK TOWER RELOCATION	0	\$0.00	\$34,977,000.00
<u>SCOPE</u>			
140-06 NEW START	0	\$1,000,000.00	\$94,709,000.00
<u>ACTIVITY</u>			
14.04.40 SITEWORK & SPECIAL CONDITIONS-KEARNY YARD EARTHWORK	0	\$1,000,000.00	\$94,709,000.00
<u>SCOPE</u>			
140-08 NEW START	0	\$0.00	\$157,819,550.00
<u>ACTIVITY</u>			
14.09.90 UNALLOCATED CONTINGENCY-LINE ITEM CONTINGENCY	0	\$0.00	\$157,819,550.00

Estimated Total Eligible Cost:	\$1,676,930,068.00
Federal Share:	\$62,220,000.00
Local Share:	\$1,614,710,068.00

OTHER (Scopes and Activities not included in Project Budget Totals)

None

SOURCES OF FEDERAL FINANCIAL ASSISTANCE

UZA ID	Accounting Classification	FPC	FY	SEC	Previously Approved	Amendment Amount	Total
340010	2008.47.03.33.1	00	2010	03	\$14,700,000.00	\$0.00	\$14,700,000.00
340010	2009.47.03.33.1	00	2010	03	\$0.00	\$47,520,000.00	\$47,520,000.00
Total Previously Approved:							\$14,700,000.00
Total Amendment Amount:							\$47,520,000.00
Total from all Funding Sources:							\$62,220,000.00

Alternative Fuel Codes

Extended Budget Descriptions

140-00	NEW START	0	\$15,700,000.00	\$471,474,550.00
14.01.10	GUIDEWAY & TRACK ELEMENTS - MANHATTAN TUNNEL	0	\$15,700,000.00	\$471,474,550.00
MANHATTAN TUNNEL				
Amendment No. 1 - Oct. 2009				
NJ TRANSIT is requesting changes totaling \$17,474,550 to the Manhattan Tunnel line item. The `Total Eligible Cost` is now \$471,474,550.				
`Total Eligible Cost` of this line item is \$471,474,550. Current New Starts funding funds \$15,700,000. Future				

New Starts grant amendments to this grant will fund \$90,132,373. Port Authority funding funds \$362,941,000. TTF funding funds \$2,701,177. In addition to funding provided through this grant, as amended, there are other grants that also support costs associated with this line item. Specifically, the FY09 CMAQ grant (NJ-95-X008) funds \$30,000,000. Funding in the amount of \$30,000,000 will be included in the FY10 CMAQ grant. Funding in the amount of \$40,000,000 will be funded by CMAQ grants in FY11 and beyond. The total amount of funding provided through the ESWA, as amended, for Manhattan Tunnel direct cost is \$571,474,550.

The scope includes modifications for the Con Ed site and temporary relocation of some Con Ed activities; construction of a slurry wall supporting Twelfth Avenue shaft; ground stabilization at the Twelfth Avenue launch shaft site for the tunnel boring machine (TBM) launching; excavation of Warrington Interlocking cavern; construction of approximately 21,200 feet of bored tunnels from 12th Avenue in Manhattan to 6th Avenue using a hard rock tunnel-boring machine; five cross passages mined in rock and ling of the Warrington Interlocking.

The total project cost of Manhattan Tunnel is \$611.773 million (including soft costs and allocated contingency). This is a change from the previous total project cost of \$650.084 million. The reason for the decrease in cost is due to the receipt of bids on the project. The bid price was \$583 million, including \$16.313 million of as directed contingency. This package cost is funded by \$571.475 million for direct costs (including the design/build contract work of \$566.687 million and \$4.788 million for utilities) in this and other grants, plus \$23.985 million from the professional services line items in this and other grants, plus \$16.313 million from the contingency line item in this grant.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.

Milestones

Finish Upper Bores(Amendment 1) November 30, 2011

Finish Bottom Bores (Amendment 1) August 30, 2012

MANHATTAN TUNNELS

The project cost associated with this line item is \$511,000,000, excluding contingencies. The `Total Eligible Cost` for this line item covered in this grant application is \$454,000,000. The balance of the `Total Eligible Cost` will be included in separate federal highway flex funds grant applications. The remaining costs will be included in separate annual FHWA flex funds grant applications.

The scope includes modifications for the Con Ed site and temporary relocation of some Con Ed activities; construction of a slurry wall supported Twelfth Avenue shaft; ground stabilization at the Twelfth Avenue launch shaft site for the tunnel boring machine (TBM) launching; excavation of Warrington Interlocking Cavern; construction of approximately 21,200 feet of bored tunnels from 12th Avenue in Manhattan to 6th Avenue using a hard rock tunnel-boring machine; five cross passages mined in rock and lining of the Warrington Interlocking. The cost of construction services are included in this scope(\$511,000,000). The cost for the design portion of this design build contract is captured in the professional services line item.

This scope is included in the ESWA.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.

140-03	NEW START	0	\$44,520,000.00	\$696,348,968.00
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14.01.10	GUIDEWAY & TRACK ELEMENTS - TONNELLE AVE	0	\$0.00	\$920,000.00
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TONNELLE AVENUE

Amendment No. 1 - Oct. 2009

NJ TRANSIT is requesting changes totaling \$2,080,000 to the Tonnelles Avenue line item. The `Total Eligible Cost` is now \$920,000.

The `Total Eligible Cost` of this line item is \$920,000, funded by future New Starts. In addition to funding provided through this grant, as amended, another grant also support costs associated with this line item. Specifically, the FY09 ARRA 5307 grant (NJ-96-X002) funds \$17,883,000. The total amount of funding provided through the ESWA, as amended, for Tonnelles Avenue direct cost is \$18,803,000.

The scope includes a new underpass structure to carry Rt. 1&9 over the new ARC tracks and modifications to the building located at 2001 Tonnelles Avenue. The work is located in the vicinity of Tonnelles Avenue south of the crossing of the Amtrak Northeast Corridor and east of the Conrail Northern Branch. Project elements include new structure for Tonnelles Avenue over the proposed ARC tracks; culverts with a new drainage system; retaining walls; wing walls for new bridge structure; and retaining walls connecting to future Palisades tunnels.

The total project cost of Tonnelles Avenue is \$23.171 million (including soft costs and allocated contingency). This is a change from the previous total project cost of \$30.296 million. The reduced cost is due to bids coming in lower than expected. This cost is funded by \$18.803 million for direct costs (see above) from this and other grants, plus \$4.368 million from the professional services line items in this and other grants.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.

Milestones

UnderpassûWest Section Stage 1 Complete (Amendment 1) August 30, 2001

UnderpassûCenter Section Stage 2 Complete (Amendment 1)December 30, 2010

Underpass û East Section Stage 3 Complete (Amendment 1)September 30, 2011

TONNELLES AVENUE UNDERPASS

The project cost associated with this line item is \$23,000,000, excluding contingencies. The `Total Eligible Cost` for this line item covered in this grant application is \$3,000,000. The balance of the `Total Eligible Cost` is included in the ARRA grant application. The remaining costs will be included in separate annual FHWA flex funds grant applications.

The scope includes a new underpass structure to carry Route 1&9 over the new ARC tracks and modifications to the building located at 2001 Tonnelles Avenue. The work is located along Tonnelles Avenue just south of the Amtrak Northeast Corridor crossing and east of the Conrail Northern Branch. Project elements include new structure for Tonnelles Avenue over the proposed ARC tracks; culverts with a new drainage system; retaining walls; wing walls for new bridge structure; and retaining walls connecting to the future Palisades Tunnels.

The cost of construction services are included in this scope(\$23,000,000). The cost for design, CM and Project Administration is captured in the professional services line item.

This scope is included in the ESWA.
The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.

14.06.60	ROW, LAND, EXISTING IMPROVEMENTS	0	\$0.00	\$399,800,000.00
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PROPERTY ACQUISITION

Amendment No.1 - Oct. 2009

NJ TRANSIT is requesting changes totaling \$174,800,000 to the Property Acquisition line item. The `Total Eligible Cost` is now \$399,800,000.

The `Total Eligible Cost` of this line item is \$399,800,000 (The original amount was \$225,000,000). Future New Starts grant amendments to this grant will fund \$20,700,000. Port Authority funding funds \$319,400,000. TTF funding funds \$59,700,000. In addition to funding provided through this grant, as amended, another grant also support costs associated with this line item. Specifically, the FY09 CMAQ grant (NJ-95-X008) funds \$15,000,000. The total amount of funding provided through the ESWA, as amended, for Land Acquisition direct cost is \$414,800,000.

The scope includes the acquisition of all property and easements in New Jersey and New York needed for the ARC project as well as related costs such as relocation expenses.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

The total project cost of Land Acquisition is \$538.8 million (including soft costs and allocated contingency. This cost is funded by \$414.8 million for direct costs (see above) from this and other grants, plus \$13 million from the professional services line items in this and other grants, plus \$111 million from the contingency line item in this grant.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.

ESWA PROPERTY ACQUISITION

The project cost associated with this line item is \$243,000,000, excluding contingencies. The `Total Eligible Cost` for this line item covered in this grant application is \$225,000,000. The balance of the `Total Eligible Cost` will be included in separate federal highway flex funds grant applications. The remaining costs will be included in separate annual FHWA flex funds grant applications.

The scope includes the acquisition of all property and easements in New Jersey and New York needed for the ARC construction and operation.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.

14.08.80	PROFESSIONAL SERVICES	0	\$44,520,000.00	\$250,407,968.00
<p>Professional Services</p> <p>Amendment No. 1 - Oct. 2009</p> <p>NJ TRANSIT is requesting changes totaling \$160,407,968 to the Professional Services line item. The `Total Eligible cost` of this line item is \$250,407,968.</p> <p>The `Total Eligible Cost` of this line item is \$250,407,968. New Starts funding in this amendment funds \$44,520,000. Future New Start grant amendments to this grant will fund \$87,101,077. Port Authority funding funds \$43,943,000. TTF funding funds \$74,843,891. In addition to funding provided through this grant, as amended, there are other grants that also support costs associated with this line item. Specifically, the FY09 ARRA 5307 grant (NJ-96-X002) funds \$112,117,000. Prior New Starts Grant NJ-03-138 provided \$6,069,932. Prior CMAQ grants NJ-90-X086, NJ-95-X002, and NJ-95-X003 will fund \$100,000,000 of the cost. The FY09 CMAQ grant (NJ-95-X008) funds \$5,000,000. Future CMAQ grants will fund \$52,050,000. The total amount of funding provided through this ESWA, as amended, for Professional Services costs is \$525,644,900.</p> <p>The scope includes professional services expenses for preliminary engineering and extended preliminary engineering activities already expended as well as professional services expenses for final design, permitting, construction management, insurance for the entire project's scope and wetlands mitigation supporting ESWA scope. The scope also includes professional services activities in support of railcar and locomotive procurements such as design, engineering, support and administration. The scope also includes the costs for staff and the purchase of materials and services required to support professional services and the overall project.</p> <p>The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.</p> <p>ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.</p> <p>----</p> <p>ESWA PROFESSIONAL SERVICES</p> <p>The project cost associated with this line item is \$250,000,000, excluding contingencies. The `Total Eligible Cost` for this line item covered in this grant application is \$90,000,000. The balance of the `Total Eligible Cost` has been or will be included in NJ-03-0138, the ARRA grant application and federal highway flex funds. The remaining costs will be included in separate annual FHWA flex funds grant applications.</p> <p>The scope includes professional services expenses for preliminary engineering and extended preliminary engineering activities already expended as well as professional services expenses supporting the project scope for final design, permitting, construction management, insurance and wetlands mitigation for the overall project. Costs for project management and, project administration, and non-NJ TRANSIT Force Account services needed to support the ESWA contracts are also included in the professional service line item.</p> <p>The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.</p> <p>ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.</p>				
14.09.90	UNALLOCATED CONTINGENCY	0	\$0.00	\$45,221,000.00

CONTINGENCY

Amendment No. 1 - Oct. 2009

NJ TRANSIT is requesting changes totaling \$279,779,000 to this line item. The æTotal Eligible CostÆ of the unallocated contingency line item to \$45,221,000 (The previous æTotal Eligible CostÆ was \$325,000,000). Port Authority funding funds \$18,716,000. TTF funding funds \$26,505,000. The reason for the change is the creation of an allocated contingency line item.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.

ESWA CONTINGENCY

This line item includes contingencies associated with ESWA work.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page 1 of Section 3 of the FY09 STIP. The FY09 STIP was approved on September 17, 2008.

140-04	NEW START	0	\$1,000,000.00	\$221,601,000.00
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14.01.10	GUIDEWAY & TRACK ELEMENTS - PALISADES TUNNELS	0	\$1,000,000.00	\$221,601,000.00
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PALISADES TUNNELS

Amendment No.1 - Oct. 2009

NJ TRANSIT is requesting funding for the Palisades tunnels design build package.

The `Total Eligible Cost` of this line item is \$221,601,000. New Starts funding in this amendment funds \$1,000,000. Future New Starts amendments to this grant will fund \$171,562,000. Port Authority funding funds \$30,000,000. TTF funding funds \$19,039,000. In addition to funding provided through this grant, as amended, another grant will also support costs associated with this line item. Specifically, funding in the amount of \$25,000,000 will be included in the FY10 CMAQ grant. The total amount of funding provided through the ESWA, as amended, for Palisades Tunnel direct cost is \$246,601,000.

The scope includes excavation of an open-cut approach from the Tonnelle Avenue underpass and construction of construction portal; bored tunnels using a hard rock tunnel-boring machine (TBM); cross passages mined in rock; lining of TBM tunnel and the construction of the Hoboken Fan Plant shaft. Work will be conducted in between the Tonnelle Avenue portal to the Hoboken shaft.

The total project cost of Palisades Tunnel is \$280.398 million (including soft costs and allocated contingency). The bid for the contract was \$258.786 million, including \$13.138 million of as directed contingency. This cost is funded by \$246.601 million for direct costs (including the design/build contract work of \$245.648 million and \$0.953 million for utilities) in this and other grants, plus \$20.659 million from the professional services line items

in this and other grants, plus \$13.138 million from the allocated contingency line item in this grant.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.

140-05	NEW START	0	\$0.00	\$34,977,000.00
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14.04.40	SITWORK & SPECIAL CONDITIONS- AMTRAK TOWER RELOCATION	0	\$0.00	\$34,977,000.00
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AMTRAK TOWER RELOCATION

Amendment No.1 - Oct. 2009

NJ TRANSIT is requesting funding for the Amtrak Transmission Tower Relocations.

The `Total Eligible Cost` of this line item is \$34,977,000. Future New Start grant amendments to this grant will fund \$31,977,000. TTF funding funds \$3,000,000. In addition to funding provided through this grant, as amended, there are other grants that will also support costs associated with this line item. Specifically, funding in the amount of \$5,000,000 will be funded by CMAQ grants in FY11 and beyond. The total amount of funding provided through the ESWA, as amended, for AMTRAK Towers Utilities Relocation direct cost is \$39,977,000.

The scope includes construction of new, relocated towers supporting the Amtrak 138kV power line, which are to replace existing towers conflicting with the proposed Norfolk Southern and ARC tracks. The work is located on the East side of the Hackensack River along the west side of the Boonton Line on PSE&G property and on Norfolk Southern property at the intersection of the North East Corridor and County Road near Croxton Yard.

The total project cost of AMTRAK Towers Utilities Relocation is \$53.23 million (including soft costs and allocated contingency). This cost is funded by \$39.977 million for direct costs (see above) from this and other grants, plus \$2.377 million from the professional services line items in this and other grants, plus \$10.876 million from the allocated contingency line item in this grant.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.

140-06	NEW START	0	\$1,000,000.00	\$94,709,000.00
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14.04.40	SITWORK & SPECIAL CONDITIONS- KEARNY YARD EARTHWORK	0	\$1,000,000.00	\$94,709,000.00
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KEARNY YARD EARTHWORK

Amendment No.1 - Oct. 2009

NJ TRANSIT is requesting funding for Kearny Yard Earthwork management.

The 'Total Eligible Cost' of this line item is \$94,709,000. New Start funding in this amendment will fund \$1,000,000. Future New Start amendments to this grant will fund \$91,000,000. TTF funding funds \$2,709,000. In addition to funding provided through this grant, as amended, there are other grants that will also support costs associated with this line item. Specifically, funding in the amount of \$2,000,000 will be funded by CMAQ grants in FY11 and beyond. The total amount of funding provided through the ESWA, as amended, for Kearny Yard Earthwork direct cost is \$96,709,000.

The scope includes the preparation of the Kearny Yard site to receive excavation spoils from the tunnel and cavern excavation contracts. The contract covers site preparation, including installing wick drains and collection blanket to accommodate building the site embankment; materials handling to prepare and distribute embankment materials from other project contract sites; staged placement of the fill as extracted by the tunnel boring machines, cavern drill and blast operation and other project excavation such as shafts and entrances as surcharge on the Kearny Yard and Northeast Corridor sites. Work will be conducted in the vicinity of the west bank of the Hackensack River south of the Northeast Corridor and east of NJ Route 7. Other project elements include construction of retaining walls; and internal roads throughout the parcel.

The total project cost of Kearny Yard Earthwork is \$108.808 million (including soft costs and allocated contingency). This cost is funded by \$96.709 million for direct costs (see above) from this and other grants, plus \$5.607 million from the professional services line items in this and other grants, plus \$6.492 million from the allocated contingency line item in this grant.

ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.

140-08	NEW START	0	\$0.00	\$157,819,550.00
14.09.90	UNALLOCATED CONTINGENCY-LINE ITEM CONTINGENCY	0	\$0.00	\$157,819,550.00

UNALLOCATED CONTINGENCY-LINE ITEM CONTINGENCY

Amendment No. 1 - Oct. 2009

NJ TRANSIT is requesting funding for an allocated contingency line item.

The 'Total Eligible Cost' for this line item is \$157,819,550. Future New Start amendments to this grant will fund \$40,327,550. Port Authority funding funds \$91,000,000. TTF funding funds \$26,492,000.

This line item will allow tracking of contingency that has been allocated to specific projects versus overall project contingency.

The FTA issued a Record of Decision (ROD) for ARC on January 14, 2009.

ARC is included on page III-1 of FY10 STIP. The FY10 STIP was approved on September 17, 2009.

Changes since the Prior Budget

FTA Change Amounts

Code	Description	Previous FTA Total	Change in FTA Total	Current FTA Total
140-00	NEW START	\$14,700,000	\$1,000,000	\$15,700,000
14.01.10	GUIDEWAY & TRACK ELEMENTS - MANHATTAN TUNNEL	\$14,700,000	\$1,000,000	\$15,700,000
140-03	NEW START	\$0	\$44,520,000	\$44,520,000
14.01.10	GUIDEWAY & TRACK ELEMENTS - TONNELLE AVE	\$0	\$0	\$0
14.06.60	ROW, LAND, EXISTING IMPROVEMENTS	\$0	\$0	\$0
14.08.80	PROFESSIONAL SERVICES	\$0	\$44,520,000	\$44,520,000
14.09.90	UNALLOCATED CONTINGENCY	\$0	\$0	\$0
140-04	NEW START	\$0	\$1,000,000	\$1,000,000
14.01.10	GUIDEWAY & TRACK ELEMENTS - PALISADES TUNNELS	\$0	\$1,000,000	\$1,000,000
140-05	NEW START	\$0	\$0	\$0
14.04.40	SITWORK & SPECIAL CONDITIONS-AMTRAK TOWER RELOCATION	\$0	\$0	\$0
140-06	NEW START	\$0	\$1,000,000	\$1,000,000
14.04.40	SITWORK & SPECIAL CONDITIONS-KEARNY YARD EARTHWORK	\$0	\$1,000,000	\$1,000,000
140-08	NEW START	\$0	\$0	\$0
14.09.90	UNALLOCATED CONTINGENCY-LINE ITEM CONTINGENCY	\$0	\$0	\$0

Eligible Change Amounts

Code	Description	Previous Eligible	Change in Eligible	Current Eligible
140-00	NEW START	\$454,000,000	\$17,474,550	\$471,474,550
14.01.10	GUIDEWAY & TRACK ELEMENTS - MANHATTAN TUNNEL	\$454,000,000	\$17,474,550	\$471,474,550
140-03	NEW START	\$643,000,000	\$53,348,968	\$696,348,968
14.01.10	GUIDEWAY & TRACK ELEMENTS - TONNELLE AVE	\$3,000,000	-\$2,080,000	\$920,000
14.06.60	ROW, LAND, EXISTING IMPROVEMENTS	\$225,000,000	\$174,800,000	\$399,800,000
14.08.80	PROFESSIONAL SERVICES	\$90,000,000	\$160,407,968	\$250,407,968
14.09.90	UNALLOCATED CONTINGENCY	\$325,000,000	-\$279,779,000	\$45,221,000
140-04	NEW START	\$0	\$221,601,000	\$221,601,000
14.01.10	GUIDEWAY & TRACK ELEMENTS - PALISADES TUNNELS	\$0	\$221,601,000	\$221,601,000
140-05	NEW START	\$0	\$34,977,000	\$34,977,000
14.04.40	SITWORK & SPECIAL CONDITIONS-AMTRAK TOWER RELOCATION	\$0	\$34,977,000	\$34,977,000

140-06	NEW START	\$0	\$94,709,000	\$94,709,000
14.04.40	SITWORK & SPECIAL CONDITIONS- KEARNY YARD EARTHWORK	\$0	\$94,709,000	\$94,709,000
140-08	NEW START	\$0	\$157,819,550	\$157,819,550
14.09.90	UNALLOCATED CONTINGENCY-LINE ITEM CONTINGENCY	\$0	\$157,819,550	\$157,819,550

Change in Quantity

Code	Description	Previous Quantity	Change in Quantity	Current Quantity
140-00	NEW START	0	0	0
14.01.10	GUIDEWAY & TRACK ELEMENTS - MANHATTAN TUNNEL	0	0	0
140-03	NEW START	0	0	0
14.01.10	GUIDEWAY & TRACK ELEMENTS - TONNELLE AVE	0	0	0
14.06.60	ROW, LAND, EXISTING IMPROVEMENTS	0	0	0
14.08.80	PROFESSIONAL SERVICES	0	0	0
14.09.90	UNALLOCATED CONTINGENCY	0	0	0
140-04	NEW START	0	0	0
14.01.10	GUIDEWAY & TRACK ELEMENTS - PALISADES TUNNELS	0	0	0
140-05	NEW START	0	0	0
14.04.40	SITWORK & SPECIAL CONDITIONS- AMTRAK TOWER RELOCATION	0	0	0
140-06	NEW START	0	0	0
14.04.40	SITWORK & SPECIAL CONDITIONS- KEARNY YARD EARTHWORK	0	0	0
140-08	NEW START	0	0	0
14.09.90	UNALLOCATED CONTINGENCY-LINE ITEM CONTINGENCY	0	0	0

Change in Project Control Totals

Description	Previous Amount	Change in Amount	Current Amount
Gross Project Cost:	\$1,097,000,000	\$579,930,068	\$1,676,930,068
Adjustment Amount:	\$0	\$0	\$0
Total Eligible Cost:	\$1,097,000,000	\$579,930,068	\$1,676,930,068
Total FTA Amount:	\$14,700,000	\$47,520,000	\$62,220,000
Total State Amount:	\$1,082,300,000	\$532,410,068	\$1,614,710,068
Total Local Amount:	\$0	\$0	\$0
Other Federal Amount:	\$0	\$0	\$0

Special Condition Amount:	\$0	\$0	\$0
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Part 4. Milestones

14.01.10 GUIDEWAY & TRACK ELEMENTS - 0 \$15,700,000 \$471,474,550
MANHATTAN TUNNEL

	Milestone Description	Est. Comp. Date
1.	DESIGN 100 COMPLETE	Feb. 01, 2009
2.	ADVERTISE	Mar. 26, 2009
	MANHATTAN TUNNELS PRIMARY CONTRACT	
3.	BOARD APPROVAL	Dec. 09, 2009
	MANHATTAN TUNNELS PRIMARY CONTRACT	
4.	NTP PRIMARY	Mar. 26, 2010
	MANHATTAN TUNNELS (CONTRACT OR IN-HOUSE)	
5.	50% COMPLETE	Oct. 26, 2011
	MANHATTAN TUNNELS	
6.	18.1 INTERIM: FINISH UPPER	Oct. 30, 2012
	BORES (AMENDMENT 1) MANHATTAN TUNNELS	
7.	18.2 INTERIM:FINISH BOTTOM	Jul. 30, 2013
	BORES(AMENDMENT 1) MANHATTAN TUNNELS	
8.	PROJECT COMPLETE	Nov. 28, 2013
	MANHATTAN TUNNELS	
9.	CLOSEOUT COMPLETE	Feb. 09, 2014
	MANHATTAN TUNNELS	

14.01.10 GUIDEWAY & TRACK ELEMENTS - 0 \$0 \$920,000
TONNELLE AVE

	Milestone Description	Est. Comp. Date

1.	ADVERTISE TONNELLE AVENUE UNDERPASS PRIMARY CONTRACT	Mar. 26, 2009
2.	DESIGN 100 COMPLETE TONNELLE AVENUE UNDERPASS	Mar. 27, 2009
3.	BOARD APPROVAL TONNELLE AVENUE UNDERPASS PRIMARY CONTRACT	May. 11, 2009
4.	NTP PRIMARY (CONTRACT OR IN-HOUSE) TONNELLE AVENUE UNDERPASS	Jun. 23, 2009
5.	INTERIM: UNDERPASS WEST SECTION STAGE 1 COMPLETE (AMENDMENT 1) TONNELLE AVENUE UNDERPASS	Aug. 30, 2010
6.	50% COMPLETE TONNELLE AVENUE UNDERPASS	Oct. 23, 2010
7.	INTERIM: UNDERPASS CENTER SECTION STAGE 2 COMPLETE (AMENDMENT 1) TONNELLE AVENUE UNDERPASS	Dec. 30, 2010
8.	INTERIM: UNDERPASS EAST SECTION STATE 3 COMPLETE (AMENDMENT 1) TONNELLE AVENUE UNDERPASS	Sep. 30, 2011
9.	PROJECT COMPLETE TONNELLE AVENUE UNDERPASS	Feb. 12, 2012
10.	CLOSEOUT COMPLETE TONNELLE AVENUE UNDERPASS	May. 12, 2012

14.06.60 ROW, LAND, EXISTING IMPROVEMENTS 0 \$0 \$399,800,000

	Milestone Description	Est. Comp. Date
1.	NTP PRIMARY (CONTRACT OR IN-HOUSE): FIRST EXPENDITURE PROPERTY ACQUISITION	Mar. 24, 2009
2.	50% COMPLETE PROPERTY ACQUISITION	Jun. 30, 2010
3.	PROJECT COMPLETE:	Dec. 31, 2018

	LAST EXPENDITURE PROPERTY ACQUISITION	
4.	CLOSEOUT COMPLETE	Dec. 31, 2018
	PROPERTY ACQUISITION	

14.08.80 PROFESSIONAL SERVICES 0 \$44,520,000 \$250,407,968

	Milestone Description	Est. Comp. Date
1.	FIRST EXPENDITURE	Jan. 27, 2009
	ESWA PROFESSIONAL SERVICES	
2.	FINAL EXPENDITURE	Dec. 31, 2018
	ESWA PROFESSIONAL SERVICES	

14.09.90 UNALLOCATED CONTINGENCY 0 \$0 \$45,221,000

	Milestone Description	Est. Comp. Date
1.	NTP PRIMARY	Jan. 01, 2009
2.	PROJECT COMPLETE	Dec. 30, 2017
	ESWA CONTINGENCY	
3.	CLOSEOUT COMPLETE	Dec. 31, 2017

14.01.10 GUIDEWAY & TRACK ELEMENTS -
PALISADES TUNNELS 0 \$1,000,000 \$221,601,000

	Milestone Description	Est. Comp. Date
1.	DESIGN 100 COMPLETE	May. 01, 2009
2.	ADVERTISE PRIMARY	Jun. 30, 2009
	CONTRACT	
3.	BOARD APPROVAL	Jan. 30, 2010
	PRIMARY CONTRACT	
4.	NTP PRIMARY	Feb. 15, 2010
	CONTRACT OR IN-HOUSE	
5.	50% COMPLETE	Nov. 15, 2011
6.	PROJECT COMPLETE	Nov. 30, 2013
7.	CLOSEOUT COMPLETE	May. 15, 2014

14.04.40 SITEWORK & SPECIAL CONDITIONS-
AMTRAK TOWER RELOCATION 0 \$0 \$34,977,000

	Milestone Description	Est. Comp. Date
1.	DESIGN 30 COMPLETE	Jan. 30, 2009
2.	ADVERTISE PRIMARY	May. 30, 2010
	CONTRACT	
3.	DESIGN 100 COMPLETE	May. 31, 2010
4.	BOARD APPROVAL	Sep. 30, 2010
	PRIMARY CONTRACT	
5.	NTP PRIMARY	Oct. 30, 2010
	(CONTRACT OR IN-HOUSE)	
6.	50% COMPLETE	Jun. 30, 2011
7.	PROJECT COMPLETE	Dec. 30, 2011
8.	CLOSEOUT COMPLETE	Jun. 30, 2012

14.04.40 SITWORK & SPECIAL CONDITIONS-KEARNY YARD EARTHWORK 0 \$1,000,000 \$94,709,000

	Milestone Description	Est. Comp. Date
1.	DESIGN 30 COMPLETE	Feb. 01, 2008
2.	DESIGN 100 COMPLETE	Apr. 30, 2010
3.	ADVERTISE PRIMARY	Jun. 30, 2010
	CONTRACT	
4.	BOARD APPROVAL	Oct. 30, 2010
	PRIMARY CONTRACT	
5.	NTP PRIMARY	Nov. 30, 2010
	(CONTRACT OR IN-HOUSE)	
6.	50% COMPLETE	Feb. 28, 2013
7.	PROJECT COMPLETE	Apr. 30, 2015
8.	CLOSEOUT COMPLETE	Oct. 30, 2015

14.09.90 UNALLOCATED CONTINGENCY-LINE ITEM CONTINGENCY 0 \$0 \$157,819,550

	Milestone Description	Est. Comp. Date
1.	NTP PRIMARY	Jan. 01, 2009
	(CONTRACT OR IN-HOUSE)	
2.	PROJECT COMPLETE	Dec. 30, 2017
3.	CLOSEOUT COMPLETE	Dec. 31, 2017

Part 5. Environmental Findings

140110 GUIDEWAY & TRACK ELEMENTS -MANHATTAN TUNNEL	0	\$15,700,000	\$471,474,550
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Finding No. 1 - Class I

Draft EIS Date: None Specified
Final EIS Date: None Specified
FTA ROD Date: Jan. 14, 2009

140110 GUIDEWAY & TRACK ELEMENTS - TONNELLE AVE	0	\$0	\$920,000
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Finding No. 1 - Class I

Draft EIS Date: None Specified
Final EIS Date: None Specified
FTA ROD Date: Jan. 14, 2009

140660 ROW, LAND, EXISTING IMPROVEMENTS	0	\$0	\$399,800,000
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Finding No. 1 - Class I

Draft EIS Date: None Specified
Final EIS Date: None Specified
FTA ROD Date: Jan. 14, 2009

140880 PROFESSIONAL SERVICES	0	\$44,520,000	\$250,407,968
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Finding No. 1 - Class I

Draft EIS Date: None Specified
Final EIS Date: None Specified
FTA ROD Date: Jan. 14, 2009

140990 UNALLOCATED CONTINGENCY	0	\$0	\$45,221,000
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Finding No. 1 - Class I

Draft EIS Date: None Specified
Final EIS Date: None Specified

FTA ROD Date: Jan. 14, 2009

140110 GUIDEWAY & TRACK ELEMENTS - PALISADES TUNNELS	0	\$1,000,000	\$221,601,000
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Finding No. 1 - Class I

Draft EIS Date: None Specified
 Final EIS Date: None Specified
 FTA ROD Date: Jan. 14, 2009

140440 SITEWORK & SPECIAL CONDITIONS-AMTRAK TOWER RELOCATION	0	\$0	\$34,977,000
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Finding No. 1 - Class I

Draft EIS Date: None Specified
 Final EIS Date: None Specified
 FTA ROD Date: Jan. 14, 2009

140440 SITEWORK & SPECIAL CONDITIONS-KEARNY YARD EARTHWORK	0	\$1,000,000	\$94,709,000
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Finding No. 1 - Class I

Draft EIS Date: None Specified
 Final EIS Date: None Specified
 FTA ROD Date: Jan. 14, 2009

140990 UNALLOCATED CONTINGENCY- LINE ITEM CONTINGENCY	0	\$0	\$157,819,550
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Finding No. 1 - Class I

Draft EIS Date: None Specified
 Final EIS Date: None Specified
 FTA ROD Date: Jan. 14, 2009

Part 6: Fleet Status

Fixed Route

		Before	Change	After
I.	Active Fleet			
	A. Peak Requirement	0	0	0
	B. Spares	0	0	0
	C. Total (A+B)	0	0	0
	D. Spare Ratio (B/A)	0.00%	0.00%	0.00%
II.	Inactive Fleet			
	A. Other	0	0	0
	B. Pending Disposal	0	0	0
	C. Total (A+B)	0	0	0
III.	Total (I.C and II.C)	0	0	0

NJ TRANSIT sent updated copies of NJ TRANSIT's Fleet Plans to the Federal Transit Administration on March 24, 2009.

The number of Active Vehicles in NJ TRANSIT's Commuter Rail Fleet is 1,095. The Shop margins for the Fleet as per Volume II, page 2 of the Fleet Plan is as follows:

Locomotive Diesels 20%
 Locomotive Electric 20%
 Electric Multiple Units - Arrow III - 20%
 Push Pull Cab Cars - Comets 15%
 Push Pull Cab Cars - Multi-Level 18%

Part 7. FTA Comments

Comments to DOL

Comment Title:	DOL
Comment By:	Faye Ellison
Date Created:	Mar. 19, 2010
Date Updated:	None Specified
Ref Section:	Unknown
Comment:	FYI - Under the revised amendment (post-DOL approval), the entire ESWA would be reduced to \$2.117 billion instead of \$2.4 billion. This represents the elimination of \$283 million in funding for the dual powered locomotives and multilevel railcars that were included in the original ESWA amendment. Importantly, not all of the cost of these vehicles was included in the grant amendment to NJ-03-0169.

Part 8: Results of Reviews

The reviewer did not find any errors

Part 9: Agreement

**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION**

**GRANT AGREEMENT
(FTA G-16, October 1, 2009)**

On the date the authorized U.S. Department of Transportation, Federal Transit Administration (FTA) official's electronic signature is entered for this Grant Agreement, FTA has Awarded Federal assistance in support of the Project described below. Upon Execution of this Grant Agreement by the Grantee named below, the Grantee affirms this FTA Award, and enters into this Grant Agreement with FTA. The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) \"Federal Transit Administration Master Agreement,\" FTA MA(16), October 1, 2009,
<http://www.fta.dot.gov/documents/16-Master.pdf>
- (2) The Certifications and Assurances applicable to the Project that the Grantee has selected and provided to FTA, and
- (3) Any Award notification containing special conditions or requirements, if issued.

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE GRANTEE DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING THE DATE OF THIS FTA AWARD SET FORTH HEREIN.

FTA AWARD

FTA hereby awards a Federal grant as follows:

Project No: NJ-03-0169-01

Grantee: NEW JERSEY TRANSIT CORPORATION

Citation of Statute(s) Authorizing Project: 49 USC 5309 - New Starts

Estimated Total Eligible Cost (in U.S. Dollars): \$1,676,930,068

Maximum FTA Amount Awarded [Including All Amendments] (in U.S. Dollars): \$62,220,000

Amount of This FTA Award (in U.S. Dollars): \$47,520,000

Maximum Percentage(s) of FTA Participation:

Percentages of Federal participation are based on amounts included in the Approved Project Budget, modified as set forth in the text following the Project Description.

U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Original Project Certification Date: 7/13/2009
Amendment 1 Certification Date: 1/12/2010

Project Description:

ARC GRANT AMENDMENT NJ-03-0169-01

The Project Description includes information describing the Project within the Project Application submitted to FTA, and the Approved Project Budget, modified by any additional statements displayed in this Grant Agreement, and, to the extent FTA concurs, statements in other documents including Attachments entered into TEAM-Web.

Awarded By:
 Brigid Hynes-Cherin
 Regional Administrator
 FEDERAL TRANSIT ADMINISTRATION
 U.S. DEPARTMENT OF TRANSPORTATION
 04/14/2010

EXECUTION OF GRANT AGREEMENT

The Grantee, by executing this Grant Agreement, affirms this FTA Award; adopts and ratifies all statements, representations, warranties, covenants, and materials it has submitted to FTA; consents to this FTA Award; and agrees to all terms and conditions set forth in this Grant Agreement.

By executing this Grant Agreement, I am simultaneously executing any Supplemental Agreement that may be required to effectuate this Grant Agreement.

Executed by:
 Peter J Garino
 Senior Director of Capital Programming a
 NEW JERSEY TRANSIT CORPORATION
 04/14/2010

NJ-03-0169-01 Quarterly Narrative Report

Jul. 01, 2010 through Sep. 30, 2010

As Of Nov. 09, 2010

MS/P Report Submitted , FFR Submitted

Part 1: Recipient Information

Project Number:	NJ-03-0169-01
Recipient ID:	1414
Recipient Name:	NEW JERSEY TRANSIT CORPORATION
Address:	ONE PENN PLAZA EAST , NEWARK, NJ 07105 2246
Telephone:	(973) 491-7107
Facsimile:	(973) 461-4481

Part 2: Project Information

Project No:	NJ-03-0169-01
Brief Desc:	ARC GRANT AMENDMENT NJ-03-0169-01
FTA Project Mgr:	Ralph A. Branche Jr.
Start/End Date:	Apr. 24, 2008 - Jan. 30, 2016
Gross Project Cost:	\$1,676,930,068

Adjustment Amt:	\$0
Total Eligible Cost:	\$1,676,930,068
Total FTA Amt:	\$62,220,000
Total State Amt:	\$1,614,710,068
Total Local Amt:	\$0
Other Federal Amt:	\$0

Part 3: Federal Financial Report

Financial Status

	Previous	This Period	Cumulative
A. Federal Cash on Hand at Beginning of Period			\$0
B. Federal Cash Receipts			\$45,520,000
C. Federal Cash Disbursements			\$45,520,000
D. Federal Cash on Hand at End of Period			\$0
E. Total Federal Funds Authorized			\$62,220,000
F. Federal Share of Expenditures	\$44,740,044	\$779,956	\$45,520,000
G. Recipient Share of Expenditures	\$0	\$11,421,458	\$11,421,458
H. Total Expenditures(F + G)	\$44,740,044	\$12,201,414	\$56,941,458
I. Federal Share of Unliquidated Obligations			\$0
J. Recipient Share of Unliquidated Obligations			\$0
K. Total Unliquidated Obligations(I + J)			\$0
L. Total Federal Share (F + I)			\$45,520,000
M. Unobligated Balance of Federal Funds (E - L)			\$16,700,000
N. Total Recipient Share Required			\$1,614,710,068
O. Remaining Recipient Share to be provided N - (G + J)			\$1,603,288,610
P. Federal Program Income on Hand at Beginning of Period			\$0
Q. Total Federal Program income earned			\$0
R. Federal Program income expended in accordance with the deduction alternative			\$0
S. Federal Program income expended in accordance with the addition alternative			\$0
T. Federal Program income expended on allowable Transit Capital and Operating expenses			\$0
U. Federal Unexpended Program income			\$0

(P + Q - R or s or T)		
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Indirect Expense

Type	Fixed
Rate	0.00%
Base	\$0
Amount Charged	\$0
Federal Share	\$0

Part 4. Milestone/Progress Report

	<u>Quantity</u>	<u>FTA Amount</u>	<u>Elig. Proj. Cost</u>
14.01.10 GUIDEWAY & TRACK ELEMENTS - MANHATTAN TUNNEL	0	\$15,700,000	\$471,474,550

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	18.1 INTERIM: FINISH UPPER	10/30/2012				
	DETAILED DESCRIPTION: BORES (AMENDMENT 1) MANHATTAN TUNNELS					
2.	18.2 INTERIM:FINISH BOTTOM	7/30/2013				
	DETAILED DESCRIPTION: BORES(AMENDMENT 1) MANHATTAN TUNNELS					
3.	DESIGN 100 COMPLETE	2/1/2009	3/30/2009	1	3/30/2009	
4.	ADVERTISE	3/26/2009	3/30/2009	1	3/30/2009	
	DETAILED DESCRIPTION: MANHATTAN TUNNELS PRIMARY CONTRACT					
	PROGRESS: FY2009, 4TH QUARTER Coordinated with Con Edison on future development and final design of Block 675. Received technical proposals from the bidders for final design and construction of Manhattan Tunnels on August 17, 2009. Bidders made presentations on September					

	18, 2009. Addressed Manhattan Bidders RFIs and prepared Addenda. Completed analysis of temporary TBM substation relocation to Block 675. Continue to review technical proposals from all three bidders. Completed geotechnical and environmental borings on Con Edison property. Continue to evaluate potential overbuild loads on ConEd and Hudson Properties for Tunnels.					
5.	BOARD APPROVAL	12/9/2009	12/15/2009	2	12/15/2009	
	DETAILED DESCRIPTION: MANHATTAN TUNNELS PRIMARY CONTRACT					
6.	NTP PRIMARY	3/26/2010	7/30/2012	3		
	DETAILED DESCRIPTION: MANHATTAN TUNNELS (CONTRACT OR IN-HOUSE)					
	<p>PROGRESS: FY2010, 2ND QUARTER</p> <p>Coordinated with Hudson River Park Trust (HRPT) for subsurface easement agreement. Executed amendment to existing MOU for interface with NYC Subway #7 Line with Metropolitan Transit Advisory Council Committee (MTACC). Received approval from New York City Transit (NYCT) to tunnel beneath subway structures. Coordinated with Con Edison for relocation to Block 675. Completed Change of Plan drawing set for Verizon revisions and submitted for Con Edison concurrence. Conducted Configuration Control Request (CCR) 0018 resolution meeting which involves C8, C10, and C12.</p> <p>----</p>					

	FY2010, 1ST QUARTER Received firm, fixed price bids for final design and construction of Manhattan Tunnels on November 4, 2009. Received NJT Board approval and award contract for Manhattan Tunnels. NTP has been deferred to next quarter.					
7.	50% COMPLETE	10/26/2011	1/30/2014	1		
	DETAILED DESCRIPTION: MANHATTAN TUNNELS					
8.	PROJECT COMPLETE	11/28/2013	12/30/2014	1		
	DETAILED DESCRIPTION: MANHATTAN TUNNELS					
9.	CLOSEOUT COMPLETE	2/9/2014	6/30/2015	1		
	DETAILED DESCRIPTION: MANHATTAN TUNNELS					

		<u>Quantity</u>	<u>FTA Amount</u>	<u>Elig. Proj. Cost</u>
14.01.10	GUIDEWAY & TRACK ELEMENTS - TONNELLE AVE	0	\$0	\$920,000

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	DESIGN 100 COMPLETE	3/27/2009			3/30/2009	
2.	INTERIM: UNDERPASS	8/30/2010				
	DETAILED DESCRIPTION: WEST SECTION STAGE 1 COMPLETE (AMENDMENT 1) TONNELLE AVENUE UNDERPASS					
	PROGRESS: FY2010, 2ND QUARTER Installed temporary water main bypass and began installation of temporary sheeting for Stage 1 (west section). Completed demolition of southbound Tonnelle Avenue retaining wall					

	and began excavation of roadway and embankment. Completed work necessary to begin demolition of northern portion of 2001 Tonnelles Avenue warehouse and demolished abandoned above ground water storage tank. Three change orders totaling \$53,613.15 were executed as part of the supplemental construction allowance portion of the contract. Project is 28 % complete.					
3.	50% COMPLETE	10/23/2010				
	DETAILED DESCRIPTION: TONNELLES AVENUE UNDERPASS					
4.	INTERIM: UNDERPASS	12/30/2010				
	DETAILED DESCRIPTION: CENTER SECTION STAGE 2 COMPLETE (AMENDMENT 1) TONNELLES AVENUE UNDERPASS					
5.	INTERIM: UNDERPASS	9/30/2011				
	DETAILED DESCRIPTION: EAST SECTION STAGE 3 COMPLETE (AMENDMENT 1) TONNELLES AVENUE UNDERPASS					
6.	PROJECT COMPLETE	2/12/2012				
	DETAILED DESCRIPTION: TONNELLES AVENUE UNDERPASS					
7.	CLOSEOUT COMPLETE	5/12/2012				
	DETAILED DESCRIPTION: TONNELLES AVENUE UNDERPASS					
8.	ADVERTISE	3/26/2009	3/30/2009	1	3/30/2009	
	DETAILED DESCRIPTION: TONNELLES AVENUE UNDERPASS PRIMARY CONTRACT					
	PROGRESS: FY2009, 4TH QUARTER					

	Completed relocation of overhead utilities Installed Maintenance and Protection of Traffic (MPT) and began relocation of underground electric on Tonnelles Avenue. Began installation of temporary pedestrian traffic signal.					
9.	BOARD APPROVAL	5/11/2009	5/15/2009	1	5/15/2009	
	DETAILED DESCRIPTION: TONNELLES AVENUE UNDERPASS PRIMARY CONTRACT					
10.	NTP PRIMARY	6/23/2009	6/30/2009	1	6/30/2009	
	DETAILED DESCRIPTION: (CONTRACT OR IN-HOUSE) TONNELLES AVENUE UNDERPASS					

14.06.60	ROW, LAND, EXISTING IMPROVEMENTS	<u>Quantity</u>	<u>FTA Amount</u>	<u>Elig. Proj. Cost</u>
		0	\$0	\$399,800,000

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	PROJECT COMPLETE:	12/31/2018				
	DETAILED DESCRIPTION: LAST EXPENDITURE PROPERTY ACQUISITION					
2.	CLOSEOUT COMPLETE	12/31/2018				
	DETAILED DESCRIPTION: PROPERTY ACQUISITION					
3.	NTP PRIMARY	3/24/2009	3/30/2009	1	3/30/2009	
	DETAILED DESCRIPTION: (CONTRACT OR IN-HOUSE): FIRST EXPENDITURE PROPERTY ACQUISITION					
	PROGRESS: FY2009, 4TH QUARTER Received final approval of PAECE reports from NJ Attorney General's office (Parcels 358 353 & 354 207 & 208. Parcels 2R355 & 2R394 acquired. Discussed					

	acquisition of riparian rights and interests with NJDEP Tidelands Commission. FTA approved Relocation Assistance Plan. Vibration monitoring study atop existing Amtrak's ROW is under internal review. Appraisals under review for Parcels RE357 and RE358A&B. Received FTA approval for Parcel 353 appraisal report and sent offer package to owner representative. Sent out offer package to owner's representative of Parcels 354 and 208. Detrimental Conditions Study associated with the appraisals of deep subsurface easements completed.					
4.	50% COMPLETE	6/30/2010	7/30/2010	2		
	DETAILED DESCRIPTION: PROPERTY ACQUISITION					
	PROGRESS: FY2010, 2ND QUARTER Checks deposited with Superior Court of New Jersey to purchase Rock Eagle property and Willow Avenue property. Prepared NJ DEP Tidelands Commission application for selected properties. Revise Real Estate Status Reports and Matrices, and Upload information into PAECETrak. Sent offer letters for first 15 Deep Subsurface easements through the Palisades. Project is 25 % complete.					

14.08.80 PROFESSIONAL SERVICES

<u>Quantity</u>	<u>FTA Amount</u>	<u>Elig. Proj. Cost</u>
0	\$44,520,000	\$250,407,968

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	FINAL EXPENDITURE	12/31/2018				
	DETAILED DESCRIPTION: ESWA					

	CONTRACT					
	PROGRESS: FY2009, 4TH QUARTER Continue to advance Final Design.					
6.	BOARD APPROVAL	1/30/2010	9/30/2012	2		
	DETAILED DESCRIPTION: PRIMARY CONTRACT					
7.	NTP PRIMARY	2/15/2010	3/15/2013	2		
	DETAILED DESCRIPTION: CONTRACT OR IN-HOUSE					

14.04.40 SITWORK & SPECIAL CONDITIONS-AMTRAK TOWER RELOCATION

<u>Quantity</u>	<u>FTA Amount</u>	<u>Elig. Proj. Cost</u>
0	\$0	\$34,977,000

	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	DESIGN 30 COMPLETE	1/30/2009			1/30/2009	
	PROGRESS: FY2010, 2ND QUARTER Coordinated design with Portal Bridge and PSE&G. Received 100% design from THEP. Presented 100% design package to Amtrak for review. Prepared property disposition map for all easements and fee acquisitions needed for the contract.					
2.	DESIGN 100 COMPLETE	5/31/2010				
3.	BOARD APPROVAL	9/30/2010				
	DETAILED DESCRIPTION: PRIMARY CONTRACT					
4.	NTP PRIMARY	10/30/2010				
	DETAILED DESCRIPTION: (CONTRACT OR IN-HOUSE)					
5.	50% COMPLETE	6/30/2011				
6.	PROJECT COMPLETE	12/30/2011				
7.	CLOSEOUT COMPLETE	6/30/2012				
8.	ADVERTISE PRIMARY	5/30/2010	6/30/2010	1		
	DETAILED DESCRIPTION: CONTRACT					

14.04.40	SITWORK & SPECIAL CONDITIONS- KEARNY YARD EARTHWORK	<u>Quantity</u> 0	<u>FTA Amount</u> \$1,000,000	<u>Elig. Proj. Cost</u> \$94,709,000
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	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	DESIGN 30 COMPLETE	2/1/2008			2/1/2008	
	<p>PROGRESS: FY2010, 2ND QUARTER</p> <p>Met with NJ Transit Rail Operations to present optimized yard layout. Met with Hudson County Improvement Authority (HCIA) to discuss processed dredge material schedule. Met with Public Service Electric & Gas (PSE&G) and HCIA to discuss easements and sheet pile buffer.</p> <p>Provided Wick Drain Pilot test draft to DEP, HCIA, and Beazer. Received Draft Remedial Investigation Report. Met with Portal Bridge team to coordinate environmental issues. Met with EPA and DEP to discuss Remedial Investigation. Test embankment completed and monitoring continuing.</p>					
2.	50% COMPLETE	2/28/2013				
3.	PROJECT COMPLETE	4/30/2015				
4.	CLOSEOUT COMPLETE	10/30/2015				
5.	DESIGN 100 COMPLETE	4/30/2010	8/30/2010	1		
6.	ADVERTISE PRIMARY	6/30/2010	9/30/2010	1		
	DETAILED DESCRIPTION: CONTRACT					
7.	BOARD APPROVAL	10/30/2010	12/30/2010	1		
	DETAILED DESCRIPTION: PRIMARY CONTRACT					
8.	NTP PRIMARY	11/30/2010	2/28/2011	1		
	DETAILED DESCRIPTION: (CONTRACT OR IN-HOUSE)					

14.09.90	UNALLOCATED CONTINGENCY-LINE ITEM CONTINGENCY	<u>Quantity</u> 0	<u>FTA Amount</u> \$0	<u>Elig. Proj. Cost</u> \$157,819,550
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	<u>Milestone Description</u>	<u>Orig. Est. Comp. Date</u>	<u>Rev. Est. Comp. Date</u>	<u># Rev</u>	<u>Actual Comp. Date</u>	<u>Cont. Code</u>
1.	NTP PRIMARY	1/1/2009			1/1/2009	
	DETAILED DESCRIPTION: (CONTRACT OR IN-HOUSE)					
	PROGRESS: FY2010, 2ND QUARTER The budget for Unallocated Contingency increased based on NJT Board approval of the Manhattan Tunnels and Palisades Tunnels construction contracts. There was leftover contingency from those two contracts.					
2.	PROJECT COMPLETE	12/30/2017				
3.	CLOSEOUT COMPLETE	12/31/2017				