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7/11/16
cc: Adm
DPW

State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600



CHRIS CHRISTIE
Governor

RICHARD T. HAMMER
Acting Commissioner

KIM GUADAGNO
Lt. Governor

July 6, 2016

Dear Local Aid Grant Recipient:

The purpose of this letter is to advise all Local Aid Grant Recipients that the replenishment of the Transportation Trust Fund Account has been delayed. Accordingly, Governor Chris Christie has issued Executive Order No. 210 declaring a State of Emergency and directing the Commissioner of the Department of Transportation and the Executive Director of the New Jersey Transit Corporation to plan an immediate and orderly shutdown of all ongoing work that is funded by the Transportation Trust Fund Authority ("TTFA"). In accordance with the Shutdown Order issued on July 6, 2016 by Richard T. Hammer, Acting Commissioner of the New Jersey Department of Transportation, all contract work financed by TTFA funds must begin an orderly shutdown, with the cessation of active work for a period of at least seven days, beginning 11:59 p.m., Friday, July 8, 2016. A copy of the Shutdown Order and Executive Order No. 210 are attached for your review.

Sincerely,

Michael Russo
Director
Local Aid and Economic Development

Shutdown Order

WHEREAS the Honorable Chris Christie, Governor of the State of New Jersey, has issued Executive Order No. 210 declaring a State of Emergency and directing the Commissioner of the Department of Transportation and the Executive Director of the New Jersey Transit Corporation to plan an immediate and orderly shutdown of all ongoing work that is funded by the Transportation Trust Fund Authority ("TTFA");

WHEREAS, in the absence of a legislative solution to replenish the Transportation Trust Fund and consistent with Executive Order No. 210, it is necessary to stop work temporarily on ongoing projects funded by the TTFA to carefully ration the existing funds of the TTFA to assess and prioritize these projects to obtain the greatest effect out of those remaining funds;

THEREFORE, all contract work financed by TTFA funds, must begin an orderly shutdown, as directed by field managers through each resident engineer, project manager, and contract manager. The contractor shall initiate the safe and orderly securing of each project and cease active work for a period of at least seven days, beginning 11 :59 p.m., Friday, July 8, 2016.

FURTHERMORE, each project site shall be shut down in a safe manner. Particular parameters of how the work is to proceed to ensure the safe and orderly cessation of work and the safety of the traveling public as to each project site will be dependent upon the circumstances of the project, as determined by the field managers.

FURTHERMORE, after the July 8, 2016, project shutdown, all contractors shall, at the direction of the project's resident engineer, continue to secure the project site and ensure the safety to the traveling public of each respective project site.

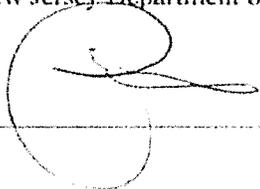
FURTHERMORE, pursuant to Executive Order No. 210, no work that the Commissioner determines is essential for the protection of the health, safety, and welfare of the citizens of the State of New Jersey is to stop, but is to continue as directed, subject to further order of the Commissioner and the continued availability of funds.

This Order shall remain in effect until further notice. If you have any questions regarding this Order, please contact the resident engineer.

Richard T. Hammer, Acting Commissioner
New Jersey Department of Transportation

Dated: _____

7/6/16



EXECUTIVE ORDER NO. 210

WHEREAS, among the most basic responsibilities of government is to provide for its citizens a safe, efficient, fully integrated, and properly balanced system of transportation, including roads, bridges, buses, rail, and light rail; and

WHEREAS, a well-kept infrastructure is crucial to the operation of the New Jersey economy and the provision of goods and services all over the State, and the people of the State of New Jersey rely upon that system of transportation as they conduct all aspects of their daily lives; and

WHEREAS, the New Jersey Transportation Trust Fund Authority ("TTFA"), established pursuant to N.J.S.A. 27:1B-1, et seq., exists to finance the planning, acquisition, engineering, construction, reconstruction, repair, and rehabilitation of the State's transportation system through the issuance of State-contract Bonds and pay-as-you-go capital; and

WHEREAS, the TTFA provides funds to the New Jersey Department of Transportation ("DOT") and to New Jersey Transit to carry out transportation projects; and

WHEREAS, currently, absent additional funding sources, the TTFA will exhaust all of its available funds in August 2016; and

WHEREAS, to date, the New Jersey State Senate has failed to act on reauthorization of the TTFA and therefore there is no established plan for providing additional funding sources for the TTFA; and

WHEREAS, if the TTFA runs out of funds, it would have a disastrous effect on the State's ability to maintain the transportation infrastructure, thereby jeopardizing the health, safety, and welfare of all persons who rely on that infrastructure; and

WHEREAS, it is therefore necessary to take action before the funds are depleted and carefully ration the existing funds of the

TTFA to obtain the greatest effect out of those remaining dollars;
and

WHEREAS, the New Jersey State Constitution requires the Governor to take care that the laws of this State be faithfully executed; and

WHEREAS, the Governor of the State of New Jersey is entrusted with the responsibility to protect the health, safety, and welfare of the citizens of this State, as well as the responsibility to aid in the prevention of damage, loss, or destruction of property in the event of emergencies affecting the State; and

WHEREAS, in order to protect the health, safety, and welfare of the citizens of this State, it is necessary that the remaining amounts held by the TTFA not be spent on any transportation project that is not absolutely essential; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. App. A:9-33, et seq., and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers;

NOW, THEREFORE, I, CHRIS CHRISTIE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, DO DECLARE and PROCLAIM that a State of Emergency exists in the State of New Jersey and I hereby ORDER and DIRECT the following:

1. The Commissioner of DOT and the Executive Director of New Jersey Transit are instructed to plan an immediate and orderly shutdown of all ongoing work that is funded by the TTFA, with the understanding that any work that is funded by federal funds may continue. The respective plans for such orderly shutdown shall be completed no later than 11:59 pm on Saturday, July 2, 2016.

2. All work that is funded by the TTFA shall cease according to the shutdown plans established respectively by the Commissioner and Executive Director, with the understanding that any work that is funded by federal funds may continue.

3. The Commissioner of DOT shall take all appropriate steps to ensure that work performed at the municipal level that is funded by the TTFA, through grant or otherwise, shall cease in a manner consistent with this Executive Order, with the understanding that any work that is funded by federal funds may continue.

4. Notwithstanding the above paragraphs, transportation project work may continue when it is, in the discretion of the Commissioner and Executive Director, respectively, after consultation with the Office of the Governor, determined that such projects are absolutely essential for the protection of the health, safety, and welfare of the citizens of the State of New Jersey, or are required to ensure the receipt of federal funding.

5. I authorize and empower the Attorney General, pursuant to the provisions of N.J.S.A. 39:4-213, acting through the Superintendent of State Police, to determine the control and direction of the flow of vehicular traffic on any State or interstate highway, municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic, and to prevent ingress or egress and further authorize all law enforcement officers to enforce any such order of the Superintendent of State Police within their respective municipalities.

6. All State officials and agencies shall cooperate fully in the implementation of this Order.

7. In accordance with N.J.S.A. App. A:9-34 and -51, I reserve the right to utilize and employ all available resources of the State government and of each and every political subdivision of the State, whether of persons, properties, or instrumentalities, and to commandeer and utilize any personal services and any privately owned property necessary to protect against this emergency.

8. In accordance with N.J.S.A. App. A:9-40, no municipality, county, or any other agency or political subdivision of this State

shall enact or enforce any order, rule, regulation, ordinance, or resolution, which will or might in any way conflict with any of the provisions of this Order, or which will in any way interfere with or impede the achievement of the purposes of this Order.

9. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully with the Commissioner in all matters concerning this state of emergency.

10. This Order shall take effect immediately and shall remain in full force and effect until such time as it is determined by me that an emergency no longer exists.

GIVEN, under my hand and seal this
30th day of June,
Two Thousand and Sixteen, and of the
Independence of the United States,
the Two Hundred and Fortieth.

[seal]

/s/ Chris Christie

Governor

Attest:

/s/ Thomas P. Scrivo

Chief Counsel to the Governor