

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, July 19, 2016
James Julian Boardroom
Delaware Memorial Bridge Plaza
New Castle, Delaware 19720

The meeting convened at 11:17 a.m. with Chairperson Lowe presiding.

Chairperson Lowe called upon Reverend Dorn to give the opening prayer.

Before beginning, Reverend Dorn announced to the Commissioners that after more than ten years, he was resigning after this meeting. He thanked the rest of the Commissioners for their friendship and support during their time together. Chairperson Lowe thanked Reverend Dorn for his service and wished him well.

The opening prayer was given by Reverend Dorn, followed by the Pledge of Allegiance led by the Executive Director.

Chairperson Lowe called on the Authority Assistant Secretary to read the meeting notice. The Assistant Secretary announced that a notice of the meeting had been distributed to the offices of the Governor of New Jersey and the Governor of Delaware, to appropriate staff members and consultants, to the press in both States and to any other individuals who had indicated an interest in receiving a copy of the meeting notice.

Chairperson Lowe called on the Assistant Secretary to take the roll.

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Commissioners from Delaware

Commissioners from New Jersey

PRESENT

William E. Lowe, Chairperson
Crystal L. Carey
Richard W. Downes
Samuel E. Lathem

James N. Hogan, Vice-Chairperson
Edward W. Dorn
Ceil Smith
Shirley R. Wilson

ABSENT

James L. Ford, III
Terry C. Murphy

James Bennett
Douglas Van Sant

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Chairperson Lowe called for the acceptance of the Agenda.

Commissioner Wilson motioned to accept the Agenda, seconded by Commissioner Downes, and the motion carried by a voice vote of 8-0.

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11127. APPROVAL OF THE JUNE 21, 2016 MINUTES

Commissioner Downes motioned to approve the June 21, 2016 meeting minutes, seconded by Commissioner Smith, and unanimously approved by a voice vote of 8-0.

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11128. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

The Chief Financial Officer (CFO) presented charts showing Actual versus Projected Revenues for the Delaware Memorial Bridge, the Cape May-Lewes Ferry, Airports, Delaware City-Salem Ferry Crossing, and Food Services for the month of June.

Without objection, the charts were ordered filed with the permanent records of the Authority.

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11129. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expenses for the month of June with comparisons to the same period last year.

Without objection, the charts were ordered filed with the permanent records of the Authority.

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11130. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented a chart for June showing expenses by division for the quarter to date vs. the projected quarter and for year to date vs. total budget.

Without objection, the charts were ordered filed with the permanent records of the Authority.

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11131. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented a chart for the month of June showing the capital budget for crossing and economic development projects and dollars committed to date for the projects. The chart also included cash expenditures spent to date for the committed projects.

Without objection, the charts were ordered filed with the permanent records of the Authority.

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11132. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF JUNE 30, 2016.

The CFO presented charts indicating the cash fund balances for the entire Authority.

Without objection, the charts were ordered filed with the permanent records of the Authority.

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11133. AUTHORITY CUSTOMER TRENDS (ACT) REPORT

The Authority Customer Trends (ACT) Report included in the financials allows management to view on a month-to-date basis trends in areas such as traffic, customer service, aircraft landings, and workplace incidents. Copies are distributed daily to employees via email and posted on bulletin boards for those without computers.

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11134. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Lowe noted that there are two (6) Contract Awards, (3) Contract Close-Out and (3) Resolutions to be considered today. All action items have been reviewed and recommended for consideration during today's Committee meetings. He then called for public comment.

There were no public comments. The Chief Operations Officer noted in his introduction that all six (6) Contract Awards were FAA Funded.

11135. AWARD OF CONTRACT # ILG-16-01 – TAXIWAY A - TERMINAL APRON REHABILITATION/EXPANSION-EXPAND TERMINAL APRON

The Chief Operations Officer (COO) noted that a public bid opening was held on June 22, 2016 and three (3) bids were received. The COO and the Projects committee recommended awarding the contract to the lowest responsible bidder, Diamond Materials, of Wilmington, DE, in the amount of \$4,401,373.30.

A motion to award Contract #ILG-16-01 to the aforementioned firm was made by Commissioner Downes, seconded by Commissioner Dorn, and unanimously approved by a voice vote of 8-0.

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11136. AWARD OF CONTRACT #MIV-16-01 – REALIGN TAXIWAY “B” AND REHABILITATE TAXIWAY “K” – TAXIWAYS “B” & “K”

The Chief Operations Officer (COO) noted that a public bid opening was held on June 23, 2016 and three (3) bids were received. The COO and the Projects committee recommended awarding the contract to the lowest responsible bidder, South State, Inc., of Bridgeton, NJ, in the amount of \$2,324,620.00.

A motion to award Contract #MIV-16-01 to the aforementioned was made by Commissioner Wilson, seconded by Commissioner Smith, and unanimously approved by a voice vote of 8-0.

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11137. AWARD OF CONTRACT #PA-16-01 – SNOW REMOVAL EQUIPMENT WITH ROTARY SNOW BLOWER

The Chief Operations Officer (COO) noted that a public bid opening was held on June 24, 2016 and four (4) bids were received. The COO and the Projects committee recommended awarding the contract to the lowest responsible bidder, Kodiak America LLC, of Burley, ID, in the amount of \$526,400.00.

A motion to award Contract #PA-16-01 to the aforementioned was made by Commissioner Smith, seconded by Commissioner Wilson, and unanimously approved by a voice vote of 8-0.

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11138. AWARD OF CONTRACT #PA-16-02 – RUNWAY DE-ICER SYSTEM TRUCK WITH FIFTY FOOT BOOM AND SNOW PLOW

The Chief Operations Officer (COO) noted that a public bid opening was held on June 24, 2016 and three (3) bids were received. The COO and the Projects committee recommended awarding

the contract to the lowest responsible bidder, Batts, Inc., of Advance, IN, in the amount of \$336,767.00.

A motion to award Contract #MIV-16-02 to the aforementioned was made by Commissioner Smith, seconded by Commissioner Downes, and unanimously approved by a voice vote of 8-0.

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11139. AWARD OF CONTRACT #33N-16-01 – RUNWAY
RELOCATION - RUNWAY 9-27 EXTENSION AND ASSOCIATED IMPROVEMENTS –
PACKAGE 4

The Chief Operations Officer (COO) noted that a public bid opening was held on June 28, 2016 and two (2) bids were received. The COO and the Projects committee recommended awarding the contract to the lowest responsible bidder, George & Lynch, Inc., of Dover, DE, in the total amount of \$3,308,929.15 (\$3,249,446.75 Base Bid; \$31,552.50 Add Alternate #1; \$27,930.00 Add Alternate #2).

A motion to award Contract #33N-16-01 to the aforementioned was made by Commissioner Dorn, seconded by Commissioner Downes, and unanimously approved by a voice vote of 8-0.

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11140. AWARD OF CONTRACT #SP-15-01 – AUTHORITY-WIDE
AIRPORT PAVEMENT MARKING

The Chief Operations Officer (COO) noted that a public bid opening was held on June 30, 2016 and two (2) bids were received. The COO and the Projects committee recommended awarding the contract to the lowest responsible bidder, Zone Striping, Inc., of Glassboro, NJ, in the amount of \$637,333.77.

A motion to award Contract #SP-15-01 to the aforementioned was made by Commissioner Smith, seconded by Commissioner Dorn, and unanimously approved by a voice vote of 8-0.

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11141. CLOSE-OUT CONTRACT #DMB-10-04 – VARIABLE
MESSAGE BOARDS REPLACEMENT AND TRAFFIC MANAGEMENT SYSTEM
DELAWARE MEMORIAL BRIDGE

On October 18, 2013 Contract No. DMB-10-04, Variable Message Boards Replacement and Traffic Management System, was awarded to J. Fletcher Creamer & Son of Hackensack, New Jersey for the bid price of \$2,374,707.00

During the contract period Change Order No's. 1-9 were approved for the project.
Add: \$396,522.17

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$2,771,229.17.

A motion to close-out Contract DMB-10-04 was made by Commissioner Dorn, seconded by Commissioner Downes, and approved by a voice vote of 8-0.

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11142. CLOSE-OUT CONTRACT #CMLF-13-02 – EIGHT-BAY
GARAGE BUILDING REPAIRS CAPE MAY TERMINAL

On March 22, 2016 Contract No. CMLF-13-02, Eight-Bay Garage Building Repairs, was awarded to New Age Fastening Systems, Inc., of Sewell, New Jersey for the bid price of \$97,366.11.

During the contract period Change Order No. 1 was approved for the project.
Add: \$5,940.74

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$103,306.85.

A motion to close-out Contract CMLF-13-02 was made by Commissioner Lathem, seconded by Commissioner Dorn, and approved by a voice vote of 8-0.

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11143. CLOSE-OUT CONTRACT #MIV-15-01, DRAINAGE IMPROVEMENTS MILLVILLE AIRPORT

On September 14, 2015 Contract No. MIV-15-01, Drainage Improvements, was awarded to West Bay Construction, of Absecon, New Jersey for the bid price of \$238,845.00.

During the contract period Change Order No’s. 1-2 were approved for the project.
Add: \$12,368.00

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$251,213.00.

A motion to close-out Contract MIV-15-01 was made by Commissioner Lathem, seconded by Commissioner Dorn, and approved by a voice vote of 8-0.

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11144. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

RESOLUTION 16-25 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2016 THROUGH DECEMBER 31, 2016

WHEREAS, The Delaware River and Bay Authority (the “Authority”) adopted Resolution 01-84 requiring Commissioner review and approval of all Authority expenditures in excess of \$25,000; and

WHEREAS, the Authority anticipates expenditures at or over the \$25,000 amount to the following vendors:

DELAWARE RIVER & BAY AUTHORITY
PROJECTED VENDORS TO BE PAID OVER \$25,000
OPERATION EXPENDITURES
FOR THE PERIOD 1/1/16 THROUGH 12/31/16

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Accountemps	Temporary Staffing for Finance Department	Professional Service	\$50,000
Connolly Flooring, Inc.	Flooring for DMB Reception and Executive Area Renovations	Quotes	\$27,000

NOW, THEREFORE, BE IT RESOLVED, that the Authority authorizes expenditures to the above-listed vendors for the described purposes and authorizes payment.

A motion to approve Resolution 16-25 was made by Commissioner Smith, seconded by Commissioner Downes, and approved by a roll call vote of 8-0.

Resolution 16-25 Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2016 through December 31, 2016.

Committee: Budget & Finance

Committee and Board Date: July 19, 2016

Purpose of Resolution:

Authorizes the expenditure of \$25,000 or greater with the identified vendors for the calendar year.

Background for Resolution:

The proposed Resolution meets the requirements of Resolution 01-84, whereby the Authority shall not enter into any contract committing the Authority to spend or make any other expenditures relating to services, material and supplies in the amount of \$25,000 or more unless it has first been approved by a vote of Commissioners.

Background for the specific purchases:

Accountemps: Temporary Staffing for Finance Department

The Authority requires the services of an additional person skilled in the area of finance and accounting. Due to a decline in the number of Finance department employees, the Authority will continue to require the services currently being provided by a temporary employee provided by Accountemps. The role being filled by the temporary staff person requires the individual to possess professional financial accreditations.

Connolly Flooring, Inc.: Flooring for DMB Reception and Executive Area Renovations

The Authority will be hiring a flooring contractor to supply and install carpet and tile during the Reception and Executive Area Renovation Project at the DMB Administration Building. Quotes were solicited and received from three (3) firms, with Connolly Flooring quoting the lowest price to complete the work as specified.

Classification Definitions:

Professional Service. A purchase of services valued less than \$50,000 that are provided by a professional acting in a capacity that requires specialized education, knowledge, judgment, and skill, and is predominantly mental or intellectual (as opposed to physical or manual) in nature, also including any clerical or administrative support that is required for the proper delivery of the professional service. Professional services are also those types of services that are original and creative in character and in a recognized field of artistic endeavor.

Quotes. A purchase of equipment, supplies or non-professional services or a contract for construction or construction management that is anticipated to cost between \$25,000 and \$49,999 during a calendar year and for which the Authority has solicited written quotes. *“Contracts for materiel and supplies and non-professional services, awarded to any [vendor for an amount of] more than \$25,000 but less than \$50,000 in the aggregate require the solicitation of three written quotes or all available sources, whichever is less...Construction management contracts or construction contracts...which are less than \$50,000 do not require formal*

solicitation of competitive prices and, if more than \$25,000 but less than \$50,000 require the solicitation of three written quotes or all available sources, whichever is less...” (DRBA Resolution 98-31 Part 4).

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**RESOLUTION 16-26 – LEASE TERMINATION AGREEMENT
BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND HOUSE OF
PRINT, LLC.**

WHEREAS, the Delaware River and Bay Authority (the “Authority”), is the operator of the Cape May Airport (“Airport”); and

WHEREAS, House of Print, LLC. (“HOP”) currently leases 1,500 square feet of retail space located at 1278 Hornet Rd commonly referred to as Unit #4 in Building 96 at the Cape May Airport for the operation of a printing shop; and

WHEREAS, HOP would like to terminate their agreement due to medical issues that have caused the closure of the business; and

WHEREAS, the Authority currently maintains a waiting list for space in this building; and

WHEREAS, HOP has agreed to pay outstanding fees of Four Thousand Three Hundred and Eighty-Seven Dollars 52/100 (\$4,387.52); and

WHEREAS, the Authority and HOP agree that the lease shall expire on April 1, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Termination Agreement with House of Print, LLC and, with the advice and consent of counsel, to have such Amendment executed by the Chairperson, Vice Chairperson and the Executive Director.

A motion to approve Resolution 16-26 was made by Commissioner Wilson, seconded by Commissioner Lathem, and approved by a roll call vote of 8-0.

Resolution 16-26 Executive Summary

Resolution:	Authorizing the Execution of a Lease Termination Agreement between the Delaware River and Bay Authority and House of Print, LLC regarding the Cape May Airport
Committee:	Economic Development
Committee Date:	July 19, 2016
Board Date:	July 19, 2016
Purpose of Resolution:	To permit the Executive Director, Chairperson and Vice Chairperson to execute and deliver a lease termination agreement for space at the Cape May Airport.
Background of Resolution:	The Delaware River and Bay Authority operates a building located on Hornet Road commonly referred to as Building 96 at the Cape May Airport. HOP leased Unit #4 in this building September 2011. HOP wishes to terminate their lease agreement due to

medical conditions that have caused the closure of their business. The Authority maintains a waiting list for space in this particular building. The termination agreement stipulates that all outstanding balances for rental payments shall be paid in full.

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RESOLUTION 16-27 – AUTHORIZES A LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND VICTORIA’S BOOKSTORE & CAFÉ, INC. /EARLE MCCARTNEY, LLC AT THE CAPE MAY AIRPORT

WHEREAS, the Delaware River and Bay Authority (the “Authority”), is the operator of the Cape May Airport (the “Airport”), Cape May, New Jersey; and

WHEREAS, Victoria’s Bookstore & Café, Inc./Earle McCartney, LLC.(“Victoria’s”) desires to lease approximately 1,500 square feet of warehouse/store front space located in Unit 3 Building 96 at the Cape May Airport; and

WHEREAS, Victoria’s has agreed to pay the Authority annual rent in the amount of Ten Thousand Five Hundred dollars (\$10,500.00); and

WHEREAS, the initial term of the lease shall be for three (3) years; and

WHEREAS, rent shall increase each year by the Annual Consumer Price Index (CPI); and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Victoria’s Bookstore & Café, Inc. /Earle McCartney, LLC. and, with the advice and consent of counsel, to have such agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 16-03 is hereby rescinded.

A motion to approve Resolution 16-27 was made by Commissioner Dorn, seconded by Commissioner Smith, and approved by a roll call vote of 8-0.

Resolution 16-27 Executive Summary

Resolution:	Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Victoria’s Bookstore & Café, Inc. /Earle McCartney, LLC, regarding the Cape May Airport
Committee:	Economic Development
Committee Date:	July 19, 2016
Board Date:	July 19, 2016
Purpose of Resolution:	To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a lease agreement for space at the Cape May Airport.
Background for Resolution:	The Delaware River and Bay Authority operates Building 96 located in the Cape May Airport Industrial Park. Victoria’s Bookstore & Café, Inc. /Earle McCartney, LLC. wishes to lease Unit 3 in Building 96 in order to operate a furniture refinishing and retail shop. Victoria Clayton Inc. currently has a location on the Washington Street Mall in Cape May, operating under the name of The French Painted Lady, but requires more space in order to expand and grow their business. The lease rate is reflective of the FMV for the property. This agreement was originally approved under Resolution 16-03 as Victoria Clayton, Inc. The parties then requested to change the Lessee structure to reflect Victoria’s Bookstore Inc. /Earle McCartney, LLC.

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11145. EXECUTIVE DIRECTOR’S COMMENTS

The Executive Director began his remarks by thanking Reverend Dorn for his service. He then congratulated Commissioner Downes on his reappointment to the Board for another 5 year term. He reminded the Commissioners that there is no August meeting and that the September Board retreat in in Cape May on Monday September 19 followed by the regularly scheduled meeting on September 20.

The Executive Director congratulated Michael Collins on his appointment to the Seton Hall Alumni Board.

The Executive Director then updated the Commissioners on events around the Authority including Tigershark UAS operations at KWWD on 6/21 which featured flights of up to 8 hours in duration; the UN Drones in Disasters event at CMLF on 6/22 which featured the first shore to ship to shore drone delivery in the US; the Lewes Sea Glass festival on 6/25 and 6/26, the 7/3 Concert and Fireworks/Fireworks cruise; the 7/13 and 7/14 summer concert series in Cape May and Lewes.

The Executive Director publicly offered condolences on the loss of Lewes Firefighter Tim McClanahan and expressed his thanks to Colonel Arroyo and the Police Department and Heath Gehrke and the Ferry staff for their assistance with the memorial service held on 7/17.

He also thanked the CSRs for doing a great job this summer in handling difficult circumstances to ensure our customers have a good experience.

Finally, the Executive Director advised the Commissioners that Steve Williams and the DRBA are serving as the hosts of the upcoming AAAE Northeast Regional Chapter annual conference 8/13-8/17 in Wilmington.

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11146. COMMISSIONERS PUBLIC FORUM

Chairperson Lowe opened the public forum by expressing his thanks to all DRBA staff who assisted with the memorial service for Firefighter McClanahan. He then called for comments from the public and the Commissioners.

Vice Chairperson Hogan then rose in respect in gratitude to Reverend Dorn for his years of service. He said he was going to miss working with him. This was followed by a standing ovation in honor of Reverend Dorn.

Commissioner Lathem thanked Reverend Dorn for his spiritual guidance and said he was uplifting to the Board. He thanked Reverend Dorn for being a great mentor.

Commissioner Smith said she enjoyed working with Reverend Dorn and thanked him for all his hard work on behalf of Salem County.

Chairperson Lowe called for any comments from the public.

There were no public comments.

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There being no further business, a motion to adjourn was made by Commissioner Lathem, seconded by Commissioner Dorn, and unanimously carried by a voice vote of 8-0.

The meeting was adjourned at 11:46 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Frank W. Minor
Assistant Secretary