

**MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
TELECONFERENCE CONDUCTED FROM
Delaware Memorial Bridge Complex
Wednesday, February 17, 2021**

The meeting convened via Zoom at 10:07 a.m. with Chairperson Hogan presiding.

Prior to the start of the meeting, Commissioner Hogan was given the Oath of Allegiance as the Chairperson of the Board of the Commissioners by Executive Director Thomas Cook.

Prior to the start of the meeting, Commissioner Lathem was given the Oath of Allegiance as the Vice-Chairperson of the Board of the Commissioners by Executive Director Thomas Cook.

The opening prayer was given by Vice-Chairperson Lathem, followed by the Pledge of Allegiance.

Chairperson Hogan 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. The Assistant Secretary announced in order to adhere to CDC guidelines, until further notice, the public will not be permitted physical attendance to DRBA Committee and Board meetings. Therefore, until further notice, meetings are held electronically via Zoom.

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

Commissioners from New Jersey

James N. Hogan, Chairperson**
Vacant
Sheila McCann*
Shirley R. Wilson*
Ceil Smith **
M. Earl Ransome, Jr.*

Commissioners from Delaware

Samuel Lathem, Vice-Chairperson**
Crystal L. Carey*
Henry J. Decker*
James L. Ford III*
Michael Ratchford*
Veronica O. Faust *

*Attended via telephonic/Zoom video

** Physically present in James Julian Boardroom

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Chairperson Hogan called for the acceptance of the Agenda.

Commissioner Smith made a motion to accept the Agenda, seconded by Commissioner Ransome, and the motion carried by a voice vote of 10-0.

*****Commissioner Decker entered the meeting after the acceptance of Agenda.

Chairperson Hogan called for the acceptance of the Board Committee Assignments for 2021

Commissioner Wilson made a motion to accept the Board Committee Assignments for 2021, seconded by Commissioner Ford, and the motion carried by a voice vote of 11-0.

Chairperson Hogan recessed the meeting for the purpose of conducting Committee Meetings.

At the conclusion of the Committee meetings, Chairperson Hogan called the meeting back to order at 12:07 pm.

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11742. APPROVAL OF THE JANUARY 21, 2021 MINUTES

Commissioner Ransome made a motion to approve meeting minutes for January 21, 2021, seconded by Commissioner Wilson, and approved by a voice vote of 11-0.

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11743. 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 Service for January 2021.

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

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11744. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expense for January 2021 with comparisons to the same periods last year.

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

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11745. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented charts for January 2021 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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11746. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented charts for January 2021 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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11747. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) FOR JANUARY 31, 2021

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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11748. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Hogan noted (1) Contract Award, (3) Contract Close-Outs, and (2) Resolutions.

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.

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11749. AWARD OF CONTRACT #CMLF-C20-08 - CAPE MAY FERRY
TERMINAL PRODUCTION KITCHEN

The Chief Operations Officer (COO) noted that a public opening bid was held on January 26, 2021. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder, Fabbri Builders, Inc. of Vineland, New Jersey, in the amount of \$463,237.00.

A motion to award CONTRACT #CMLF-C20-08 to the aforementioned firm was made by Commissioner Ransome, seconded by Commissioner Smith, and approved by a voice vote of 11-0.

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11750. CLOSE-OUT CONTRACT #DMB-19-23 – ADMINISTRATION
ELEVATOR REHABILITATION

Contract #DMB-19-23 – ADMINISTRATION ELEVATOR REHABILITATION was awarded to Delaware Elevator of Salisbury, Maryland.

It is recommended that the Authority accept this project and make the final payment to the contractor. The final cost of this project is \$483,140.00.

A motion to Close-Out Contract #DMB-19-23 was made by Commissioner Ransome, seconded by Commissioner Smith, and approved by a voice vote of 11-0.

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11751. CLOSE-OUT CONTRACT #DMB-20-21 – ANNUAL MAINTENANCE
BRIDGE PAINTING

Contract #DMB-20-21 – ANNUAL MAINTENANCE BRIDGE PAINTING was awarded to Allied Painting of Cherry Hill, New Jersey.

It is recommended that the Authority accept this project and make the final payment to the contractor. The final cost of this project is \$10,252,530.47.

A motion to Close-Out Contract #DMB-20-21 was made by Commissioner Wilson, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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11752. CLOSE-OUT CONTRACT #CMLF-19-10R – MONOPILE REPLACEMENT AT LEWES TERMINAL

Contract #CMLF-19-10R – MONOPILE REPLACEMENT AT LEWES TERMINAL was award to Corman Kokosing Construction Company of Annapolis Junction, Maryland.

It is recommended that the Authority accept this project and make the final to the contractor. The final cost of this project is \$527,777.00.

A motion to Close-Out Contract #CMLF-19-10R was made by Commissioner Smith, seconded by Commissioner Wilson, and approved by a voice vote of 11-0.

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11753. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

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RESOLUTION 21-03 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

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
VENDORS PROJECTED TO BE PAID OVER \$25,000
FOR THE PERIOD 1/1/21 THROUGH 12/31/21

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Activu Corporation	Emergency Response Display Equipment Replacement	Proprietary	\$40,000
Bayshore Ford Truck Sales, Inc.	Replacement Cargo Vans	State Contract	\$77,000
Chas. S. Winner, Inc d/b/a, Winner Ford, Cherry Hill	Replacement Police Vehicles	State Contract	\$261,000
Hoober, Inc.	Replacement Batwing Mowers	Quotes	\$39,000
International of Delmarva	Replacement Dump Trucks	Cooperative Contract	\$412,000
Route 23 Automall, LLC	Replacement Bucket Truck	State Contract	\$113,000

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 21-03 was made by Commissioner Ransome, seconded by Commissioner McCann, and approved by a roll call vote of 11-0.

Resolution 21-03 - Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2021 through December 31, 2021.

Committee: Budget & Finance

Committee and Board Date: February 17, 2021

Purpose of Resolution:

Authorizes expenditures of \$25,000 or greater with the identified vendors during the 2021 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.

Purchase Detail:

Activu Corporation: Emergency Response Display Equipment Replacement

The Authority plans to purchase replacement-monitoring equipment for the DMB Police Control Room. The purchase entails the monitors needed to replace one 3x2 55" LCD Video Wall, and two 3x2 24" LCD Desktop Monitor Walls. The existing equipment and console was installed in 2015 and the original project designer, HNTB, specified Activu equipment for the original renovation project, thus the proprietary classification of this purchase.

Bayshore Ford Truck Sales, Inc: Replacement Cargo Vans

The Authority plans to purchase two (2) new $\frac{3}{4}$ Ton Cargo Vans; one at CMLF and one at DMB. The purchase was planned in the 2021 Capital Equipment Replacement Plan and will be made via the competitively awarded state contract price (*GSS19560-TRUCKS_VANS*).

Chas. S. Winner, Inc d/b/a, Winner Ford, Cherry Hill: Replacement Police Vehicles

The Authority plans to purchase seven (7) new Ford Utility Police Interceptor vehicles. The purchase was planned in the 2021 Capital Equipment Replacement Plan and will be made via the competitively awarded state contract price (*GSS17013-POLICE_VEH*).

Hoober Inc: Replacement Batwing Mowers

As part of its approved 2021 Capital Equipment budget, the Authority will be acquiring a pair of Woods-branded batwing mowers to replace those at Cape May Airport (WWD) and Millville Airport (MIV) that have exceeded their useful life and meet the Authority's equipment replacement criteria. Quotes to provide the equipment were obtained from three Woods equipment distributors. Hoober, Inc. submitted the lowest quote to supply the specified equipment to the Authority.

International of Delmarva: Replacement Dump Trucks

The Authority plans to purchase two (2) new Dump Trucks; one at the Cape May Ferry Terminal and one at ILG. The purchase was planned in the 2021 Capital Equipment Replacement Plan and will be made via the competitively awarded cooperative contract price (*Sourcewell Contract No. 060920-NVS*).

Route 23 Automall, LLC: Replacement Bucket Truck

The Authority is replacing a truck with aerial lift that has exceeded its useful life and meets the Authority's equipment replacement criteria. The replacement equipment was planned in the 2021 Capital Equipment Replacement Plan and the purchase will be made via the

competitively bid state contract awarded to the vendor (*T2789 Bucket Truck, 19,500 lb. GVWR Crew Cab & Chassis, DRW, 4WD with Service Body, Minimum 42 Foot*).

Classification Definitions:

Cooperative Contract. A purchase of equipment, supplies or non-professional services which, under normal circumstances, would require competitive bidding, however the vendor has agreed to provide the goods or services to the Authority at fees less than or equal to that vendor's respective publicly-bid contract price for state and governmental entities. In accordance with Resolution 11-36, this purchase classification includes those *"...purchases from cooperatives and/or the piggy-backing of existing publicly-bid contracts for state and governmental entities which State of Delaware or New Jersey may or may not individually publicly advertise"*.

Proprietary. A purchase necessary to support or maintain existing Authority equipment for which a vendor has the right to prohibit an equivalent product from being supplied. Similar products or services may be available, however the Authority must purchase from the original equipment manufacturer or service provider to uphold a contract, warranty, etc. A proprietary specification typically restricts the acceptable product or service to one manufacturer or vendor; although the product or service may be available from more than one distributor. In another typical example of this classification, a purchase of closed-source commercial software would be categorized as proprietary because the software remains the property of its owner/creator and is utilized by end-users (such as the Authority) under predefined conditions.

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).

State Contract. A purchase of equipment, supplies or non-professional services which, under normal circumstances, would require competitive bidding, however the vendor has agreed to provide the goods or services to the Authority at fees less than or equal to that vendor's respective contract as awarded by the State of Delaware or New Jersey. *"Any contract for the purchase of materiel and supplies and non-professional services...which contract individually exceeds \$50,000, or in the combination with other contracts, exceeds \$50,000 in any one calendar year shall be pursuant to a contract entered into by the Authority after competitive bidding. This provision shall not apply to purchases by the Authority from suppliers in cases where the Authority is purchasing at prices pursuant to contracts awarded by the States of Delaware or New Jersey for state agencies."* (DRBA Resolution 11-36 Part 2.a.).

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RESOLUTION 21-04 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND JET EAST CORPORATE AVIATION

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

WHEREAS, Jet East Corporate Aviation, LLC (“Jet East”) desires to lease Hangar 1 & portions of 2 Thunderbolt Dr. totaling approximately 70,000 sq.ft. of hangar, shop and office space; and

WHEREAS, Jet East has agreed to pay the Authority Five Hundred Forty-Two Thousand Five Hundred Fifty Dollars (\$542,500) annual rent during the initial year of the Lease Agreement; and

WHEREAS, the initial term of the Lease Agreement is for Ten (10) years; and

WHEREAS, Jet East shall have the option of renewing the Lease Agreement for Two (2) periods of Five (5) years; and

WHEREAS, during the initial and the renewal term, rent shall be adjusted annually by the Consumer Price Index (CPI); and

WHEREAS, rent at the beginning of the renewal period shall be adjusted to the current Fair Market Value (FMV); and

WHEREAS, Jet East shall be provided a fit out allowance for 8,500 sq.ft. of office space at \$12.00 per sq.ft.; and

WHEREAS, Jet East shall be granted a 1 month rent credit for each year of the initial term to be taken at the end of each year of the lease; and

WHEREAS, Jet East shall be granted a Right of First Refusal (ROFR) for a hangar facility commonly referred to as the Dallas Hangar at the Millville Airport for a term of 6 months at a rate of \$6.00 per sq.ft. at the same terms and conditions as the main lease agreement; and

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

A motion to approve Resolution 21-04 was made by Commissioner Ratchford, seconded by Commissioner Ford, and approved by a roll call vote of 11-0.

Resolution 21-04 - Executive Summary

Resolution: Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Jet East Corporate Aviation, LLC regarding Millville Airport

Committee: Economic Development

Committee Date: February 17, 2021

Board Date: February 17, 2021

Purpose of Resolution: To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a lease agreement for existing lease space at the Millville Airport.

Background for Resolution: The Delaware River and Bay Authority owns several hangar facilities at the Millville Airport. Jet East is a maintenance and repair operation (MRO) that currently is operating from the Trenton Airport. They recently merged with Gama Aviation and are looking to create a full service maintenance facility at the Millville Airport. Jet East fully intends to exercise the ROFR on the Dallas facility but would like to set up the base hangars before leasing the Dallas facility.

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11754. COMMISSIONERS PUBLIC FORUM

Chairperson Hogan called for comments from the public and Commissioners.

There was no additional public comment.

Vice-Chairperson Lathem informed Board members of the ongoing traffic issue regarding Route 9. Trucks are finding alternate routes, detouring through neighborhoods, which presents many problems. He asked if the Authority could speak with New Castle County to discuss ways to alleviate this problem.

Vice Chairperson Lathem expressed his gratitude to Deputy Executive Stephen Williams. He is a man wearing many hats for the Authority and tackling everything thrown his way. He has excellent staff, especially Michelle Griscom.

Chairperson Hogan thanked the Deputy Executive Director and staff throughout the year.

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11755.

EXECUTIVE DIRECTORS COMMENTS

The Executive Director shared a picture of the DRBA Covid Dashboard updating Board members regarding Covid cases throughout the Authority. He thanked staff members for a great job combating Covid and practicing social distancing. The next slide displayed DRBA police officers and the toy drive held at Bear Middle School. Students shop with cops and enjoyed giving back to the community.

The Executive Director displayed a picture of Frontier Airlines arrival ribbon cutting. He thanked the Deputy Executive Director and his staff Benjamin Clendaniel, John Sarro, and James Salmon.

Upcoming Meetings:

Tuesday, March 16, 2021 – 10:00 a.m. – Commissioners Board Meeting

Tuesday, April 20, 2021 – 10:00 a.m. – Commissioners Board Meeting

There being no further business, Chairperson Hogan adjourned the meeting at 12:27 p.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Stephen D. Williams