

**MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
VIDEO/TELECONFERENCE CONDUCTED FROM
Delaware Memorial Bridge Complex
Tuesday, June 15, 2021**

The meeting convened via Zoom at 10:00 a.m. with Chairperson Hogan presiding.

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 applicable 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.

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

Chairperson Hogan called for a motion to move to Executive Session. Chairperson Faust made a motion, seconded by Commissioner Smith, and the motion carried by voice vote of 10-0.

Members of the public attending via Zoom were placed into the waiting room during the Executive Session.

The Executive Session started at 10:05 a.m. and ended at 11:58 a.m.

***Commissioner Carey entered the meeting at 10:07 a.m.

At the conclusion of the Executive Session, Chairperson Hogan reopened the meeting to the public, and recessed the Board meeting for the purpose of conducting Committee Meetings.

The Committee meetings started at 12:02 p.m. and ended at 12:21 p.m. During that time, the following committee meetings were held:

Budget and Finance
Projects

At the conclusion of the Committee meetings, Chairperson Hogan called the meeting back to order at 12:22 p.m.

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11805. APPROVAL OF THE MAY 18, 2021 MINUTES

Commissioner Smith made a motion to approve meeting minutes for May 18, 2021, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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11806. 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 May 2021.

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

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11807. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expense for May 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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11808. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented charts for May 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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11809. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented charts for May 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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11810. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) FOR MAY 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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11811. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Hogan noted that (1) Contract Award, (2) Contract Close-Outs, and (1) Resolution were being considered at today’s meeting.

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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11812. AWARD OF CONTRACT #ILG-21-07 – MOBILE AIRCRAFT PASSENGER BOARDING RAMP

The Chief Operations Officer (COO) noted that a public opening bid was held on May 25, 2021. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder Keith Consolidated Industries, Inc. of White City, Oregon, in the amount of \$66,800.00.

A motion to award CONTRACT #ILG-21-07 to the aforementioned firm was made by Vice-Chairperson Ransome, seconded by Commissioner Ratchford, and approved by a voice vote of 10-0-1. Commissioner Faust abstained from voting.

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11813. CLOSE-OUT CONTRACT #DMB-20-07 – INTERSTATE 295/US-13 MISCELLANEOUS ROADWAY REPAIRS

Contract #DMB-20-07 – INTERSTATE 295/US-13 MISCELLANEOUS ROADWAY REPAIRS was awarded to Mumford and Miller Concrete, Inc. of Middletown, Delaware.

It is recommended that the Authority accept this project and make the final payment to the contractor. The final cost of this project is \$878,732.12.

A motion to Close-Out Contract #DMB-20-07 was made by Commissioner Smith, seconded by Commissioner Carey, and approved by a voice vote of 11-0.

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11814. CLOSE-OUT CONTRACT #CMLF-19-08 – DREDGE DISPOSAL EXCAVATION

Contract #CMLF-19-08 – DREDGE DISPOSAL EXCAVATION was awarded to JPC Group, Inc. of Blackwood, 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 \$3,661,306.50.

A motion to Close-Out Contract #CMLF-19-08 was made by Commissioner Smith, seconded by Commissioner Carey, and approved by a voice vote of 11-0.

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11815. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE

BOARD

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RESOLUTION 21-23 - 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 \$
Assured Envelope Solutions, LLC	Building Exterior Repairs at MIV	Quotes	\$30,000
Johnson Controls, Inc.	Replacement Chiller and Cooling Tower at Lewes Terminal Building	Sole Source	\$1,200,000

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 21-23 was made by Commissioner Smith, seconded by Commissioner Ford, and approved by a roll call vote of 11-0.

Resolution 21-23 - 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: June 15, 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:

Assured Envelope Solutions, LLC: Building Exterior Repairs at MIV

Buildings M104, M304, and M305 at Millville Airport are each missing portions of exterior metal trim. Additionally, the metal gutter of Building M304 is severely corroded, and the exhaust vents on Building M305 are leaking and require repairs. The Authority contacted three sheet metal contractors to provide a quote to perform the repairs. Assured Envelope Solutions submitted the lowest quote to perform the work (approximately \$18K). The cost of this work, added to prior expenditures to the firm in 2021, will exceed the threshold as indicated in the estimated cost for 2021.

Johnson Controls, Inc: Replacement Chiller and Cooling Tower at Lewes Terminal Building

The Authority has planned a capital improvement project to replace the HVAC chiller, air handlers and cooling towers that service the Lewes Terminal Building, all of which have exceed their service life (22+ years) and operate on R-22 refrigerant, which is being phased out of use by the EPA. York, a subsidiary of Johnson Controls, is the sole brand of HVAC equipment compatible with the Metasys Building Automation System used across all Authority facilities. Using an alternate system would require the addition of a secondary building automation system. The Authority also has a preventative maintenance contract with York/Johnson Controls, stocks York replacement parts Authority-wide, and our technicians are trained to service York equipment.

Classification Definitions:

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 [vndor 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).

Sole Source. A purchase made without a competitive process, based on the justification that only one known source exists or that only one single supplier can fulfill the requirements of the Authority. Sole source procurement is appropriate when the goods or services being acquired: are uniquely qualified to meet the objectives of the Authority; must be compatible with existing equipment; are available within a limited geographic boundary (e.g., distributor with exclusive rights or sales area); are required for use in conjunction with a grant or contract, etc. *“A contract may be awarded without competition if the General Manager or Director of Operations of an Authority facility, or Police Administrator, prior to procurement, determines in writing that there is only one source for the required contract and no other reasonable alternative sources exist that will satisfy the requirements of the Authority”.* (DRBA Resolution 98-31 Part 2.f.)

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11816. COMMISSIONERS PUBLIC FORUM

Chairperson Hogan called for comments from the public and Commissioners.

There was no additional public comment.

Commissioner Smith expressed her gratitude to the Executive Director and staff for a wonderful Memorial Day Event.

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11817. EXECUTIVE DIRECTORS COMMENTS

The Executive Director reported that 61% of full-time employees and 39% of casual employees have been fully vaccinated.

The Executive Director reported that during its’ first year of operations, Grain on the Rocks Restaurant at the Lewes Terminal, generated about \$3.3 million dollars in sales, compared to On the Rocks, which generated an average of \$1.6 million dollars each year.

The Executive Director reported on the Memorial Day Service held at Veterans Memorial Park, attended by President Biden this year. The Executive Director thanked maintenance for a job well done.

Upcoming Meetings:

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

Tuesday, September 20, 2021 – 10:00 a.m. - Cape May Terminal Building

There being no further business, Chairperson Hogan adjourned the meeting at 12:36 p.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Stephen D. Williams