

**MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Delaware Memorial Bridge Complex
Tuesday, December 19, 2023**

The meeting convened at 10:00 a.m. at the Delaware Memorial Bridge Complex, with Chairperson Lathem presiding.

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

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

Commissioners from Delaware

Samuel Lathem, Chairperson
Crystal L. Carey
Henry J. Decker
Michael Ratchford
Veronica O. Faust - Absent
Theodore Becker

Commissioners from New Jersey

James N. Hogan, Vice-Chairperson
Shirley R. Wilson – via Zoom
Ceil Smith
Sheila McCann – via Zoom
M. Earl Ransome, Jr.
Heather Baldini

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Chairperson Lathem called for the acceptance of the Agenda.

Commissioner Becker made a motion to accept the Agenda, seconded by Commissioner Ransome, and the motion was carried by a voice vote of 11-0.

Chairperson Lathem opened the meeting for public comment on any matters of interest.

The Deputy Executive Director congratulated DRBA staff on the successful early re-opening of Runway 1-19 at Wilmington Airport. Rehabilitation of Runway 1-19 was completed over 2.5 years, and project costs of over \$14 million dollars, which included 7 total FAA grants. The project and its operational impacts were coordinated with airport stakeholders, including FAA Air Traffic, Operations, White House transportation, and Army/Air National Guard Units. The Deputy Executive Director introduced Greg Suchanoff, Senior Project Engineer and Benjamin Clendaniel, Assistant Director of Airports. He thanked the employees for their hard work and efforts.

Chairperson Lathem called for a motion to move to the Executive Session. Commissioner Becker made a motion, seconded by Commissioner Ransome, and the motion was carried by voice vote of 11-0.

Members of the public and certain staff were excused from the room during the Executive Session.

The Executive Session started at 10:09 a.m. At 11:17 a.m. Chairperson Lathem called for a motion to close the Executive Session, and recess to conduct Committee Meetings. Commissioner Becker made a motion, seconded by Commissioner Ratchford, and the motion was carried by a voice vote of 11-0.

The Committee meetings started at 11:17 a.m. and ended at 12:14 p.m. During that time, the following Committee meetings were held:

- Economic Development
- Governance and Audit
- Budget & Finance
- Projects

At the conclusion of the Committee meetings, Chairperson Lathem called the Board meeting back to order at 12:14 p.m.

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12215. APPROVAL OF THE NOVEMBER MINUTES

Commissioner Becker made a motion to approve meeting minutes for November 21, 2023, seconded by Commissioner Smith, and approved by a voice vote of 11-0.

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12216. 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 November charts were ordered filed with the permanent records of the Authority.

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12217. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expense for November 2023 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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12218. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented charts for November 2023 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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12219. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented charts for November 2023 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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12220. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) FOR NOVEMBER 30, 2023.

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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12221. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Lathem noted (3) Contract Awards, (10) Contract Close-Outs, and (8) Resolutions were being considered at today’s meeting.

All action items requiring committee action have been reviewed and recommended for consideration during today’s Committee meetings. He then called for public comment on any action items.

There was no public comment on action items before the Board.

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12222. AWARD OF CONTRACT #33N-24-A – CONSTRUCT BOX HANGAR

The Chief Operations Officer (COO) noted that a public bid opening was held on November 29, 2023. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder, L. J. Paolella Construction, Inc. of Brookhaven, Pennsylvania in the amount of \$1,277,887.00.

A motion to award CONTRACT #33N-24-A to the aforementioned firm was made by Commissioner Ransome, seconded by Commissioner Ratchford, and approved by a voice vote of 11-0.

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12223. AWARD OF CONTRACT #CMLF-C22-17 – CAPE MAY ADMINISTRATION BUILDING FITNESS CENTER RENOVATION

The Chief Operations Officer (COO) noted that a public bid opening was held on November 29, 2023. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder, Kavi Construction, LLC of Berlin, New Jersey in the amount of \$616,812.58.

A motion to award CONTRACT #CMLF-C22-17 to the aforementioned firm was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12224. AWARD OF CONTRACT #CMLF-C23-09 – MAINTENANCE DREDGING AT CAPE MAY TERMINAL

The Chief Operations Officer (COO) noted that a public bid opening was held on November 29, 2023. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder, Barnegat Bay Dredging Company, Inc. of Harvey Cedars, New Jersey in the amount of \$298,800.00.

A motion to award CONTRACT #CMLF-C23-09 to the aforementioned firm was made by Commissioner Ratchford, seconded by Commissioner Smith, and approved by a voice vote of 11-0.

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12225. CLOSE-OUT CONTRACT #MIV-21-07 – BUILDING M-17 ROOF IMPROVEMENTS

CONTRACT #MIV-21-07 – BUILDING M-17 ROOF IMPROVEMENTS to Noble Roofing & Sheet Metal Inc. of Richboro, Pennsylvania.

It is recommended that the Authority accept this project and make the final payment to the contractor. The final cost of this project is \$524,745.00.

A motion to Close-Out Contract #MIV-21-07 was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12226. CLOSE-OUT CONTRACT #33N-21-02 – OBSTRUCTION REMOVAL

CONTRACT #33N-21-02 – OBSTRUCTION REMOVAL to Peter Downes & Son, Inc. of West Milford, 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 \$395,769.20.

A motion to Close-Out Contract #33N-21-02 was made by Commissioner Becker, seconded by Commissioner Decker, and approved by a voice vote of 11-0.

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12227. CLOSE-OUT CONTRACT #ILG-21-02 – PARKING LOT AND PERIMETER ROAD REHABILITATION

CONTRACT #ILG-21-02 – PARKING LOT AND PERIMETER ROAD REHABILITATION to Diamond Material of Newark, 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 \$843,522.82.

A motion to Close-Out Contract #ILG-21-02 was made by Commissioner Ransome, seconded by Commissioner Becker, and approved by a voice vote of 11-0.

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12228. CLOSE-OUT CONTRACT #ILG-22-04 – AIR TRAFFIC CONTROL TOWER AND BUILDING ROOF REPLACEMENT AND IMPROVEMENTS

CONTRACT #ILG-22-04 – AIR TRAFFIC CONTROL TOWER AND BUILDING ROOF REPLACEMENT AND IMPROVEMENTS to Island Contracting Inc. of Beltsville, 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 \$584,741.00.

A motion to Close-Out Contract #ILG-22-04 was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12229. CLOSE-OUT CONTRACT #ILG-22-09 – 250,000 GALLON FIRE WATER TANK REPAIRS

CONTRACT #ILG-22-09 – 250,000 GALLON FIRE WATER TANK REPAIRS to Allied Painting, Inc. 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 \$185,725.00.

A motion to Close-Out Contract #ILG-22-09 was made by Commissioner Ratchford, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12230. CLOSE-OUT CONTRACT #DMB-21-23 – JULIA BUILDING ROOF REPLACEMENT AND ATRIUM SKYLIGHT STRUCTURAL GLASS ROOF REPAIR

CONTRACT #DMB-21-23 – JULIA BUILDING ROOF REPLACEMENT AND ATRIUM SKYLIGHT STRUCTURAL GLASS ROOF REPAIR to Detwiler Roofing of East Earl, Pennsylvania.

It is recommended that the Authority accept this project and make the final payment to the contractor. The final cost of this project is \$858,650.00.

A motion to Close-Out Contract #DMB-21-23 was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12231. CLOSE-OUT CONTRACT #DMB-22-05 – JULIA COOLING TOWER AND PUMP REPLACEMENT

CONTRACT #DMB-22-05 – JULIA COOLING TOWER AND PUMP REPLACEMENT to I. D. Griffith, Inc. of Wilmington, 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 \$515,179.00.

A motion to Close-Out Contract #DMB-22-05 was made by Commissioner Ransome, seconded by Commissioner Becker, and approved by a voice vote of 11-0.

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12232. CLOSE-OUT CONTRACT #CMLF-L21-03 – REPLACEMENT CHILLER AND COOLING TOWER – LEWES TERMINAL

CONTRACT #CMLF-L21-03 – REPLACEMENT CHILLER AND COOLING TOWER – LEWES TERMINAL to Johnson Controls of Linthicum, 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 \$1,030,407.00.

A motion to Close-Out Contract #CMLF-L21-03 was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12233. CLOSE-OUT CONTRACT #CMLF-C22-11 – CAPE MAY TERMINAL MONOPILE REPLACEMENT AND TIMBER PILE CLUSTER IMPROVEMENTS

CONTRACT #CMLF-C22-11 – CAPE MAY TERMINAL MONOPILE REPLACEMENT AND TIMBER PILE CLUSTER IMPROVEMENTS to Kokosing Industrial Inc. of Baltimore, 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 \$1,241,037.00.

A motion to Close-Out Contract #CMLF-C22-11 was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12234. CLOSE-OUT CONTRACT #CMLF-23-05 – DRYDOCKING AND REPAIRS OF M/V HENLOPEN

CONTRACT #CMLF-23-05 – DRYDOCKING AND REPAIRS OF M/V HENLOPEN TO Caddell Drydock and Repair Company of Staten Island, New York.

It is recommended that the Authority accept this project and make the final payment to the contractor. The final cost of this project is \$232,087.00.

A motion to Close-Out Contract #CMLF-23-05 was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12235. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

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RESOLUTION 23-59 – AUTHORIZES A DECLARATION OF SURPLUS PROPERTY AND DISPOSITION OF A WILDLIFE EXCLUSION FENCE

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a bi-state agency created by Compact to maintain and operate a variety of transportation assets and undertake economic development projects in Delaware and New and the four southern counties of New Jersey; and

WHEREAS, the Authority operates the Delaware Airpark in Cheswold, DE; and

WHEREAS, the Authority engaged in wetland mitigation activities required for the construction of Runway 9-27 at the Delaware Airpark at 2480 Blackiston Rd, Clayton, DE 19938, under permit with DNREC (Department of Natural Resources and Environmental Control) and ACOE (Army Corps of Engineers.); and

WHEREAS, as part of those mitigation activities, the Authority constructed a wildlife exclusion fence to comply with permitting requirements of DNREC and ACOE; and

WHEREAS, the Authority has satisfied all conditions of the permits and has been released from all permit obligations, and therefore derives no further benefit from control of the wildlife exclusion fence; and

WHEREAS, the wildlife exclusion fence is located on property no longer under the control of the Authority and cannot be resold or otherwise repurposed for any Authority benefit; and

WHEREAS, the current landowner has expressed interest in retaining the wildlife exclusion fence for their benefit and agreed to accept all future responsibility for maintenance and/or replacement of said fence; and

WHEREAS, the Budget and Finance Committee, at a meeting on November 21, 2023, following the recommendation of the CFO, authorized the declaration of this wildlife exclusion fence as surplus property in accordance with the Authority’s Real Property and Tangible Assets Disposition Policy (the “Policy”); and

WHEREAS, the Budget and Finance Committee recommends donation of the wildlife exclusion fence to Francis Hartnett at 2480 Blackiston Rd, Clayton, DE 19938

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby authorizes the donation of the wildlife exclusion fence to Mr. Harnett.

Resolution 23-59 was moved by Commissioner Becker, seconded by Commissioner Smith, and was approved by a roll call vote of 11-0.

Resolution 23-59 - Executive Summary Sheet

Resolution: **AUTHORIZES A DECLARATION OF SURPLUS PROPERTY AND DISPOSITION OF A WILDLIFE EXCLUSION FENCE**

Committee: Budget & Finance

Committee Date: December 19, 2023

Board Date: December 19, 2023

Purpose of Resolution:

Formally authorizes a declaration of surplus property for a wildlife exclusion fence.

Background for Resolution:

The Authority constructed a wildlife exclusion fence adjacent to Delaware Airpark to comply with wildlife mitigation permit requirements imposed by the DNREC and the ACOE. The permit requirements have been met and the Authority has no further need for the fence and intended to remove same. The adjacent landowner asked that the fence remain in place and has agreed to accept responsibility for any further maintenance or repair. The Budget and Finance Committee has concurred in the CFO’s recommendation that the fence be declared surplus and donated to that landowner.

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RESOLUTION 23-60 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND AVIATION SPORTS COMPLEX, LLC AT THE CAPE MAY AIRPORT

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

WHEREAS, Aviation Sports Complex, LLC (the “Aviation Sports”) desires to lease approximately three (3) acres of land at the Cape May Airport in order to construct an indoor sports facility. A final lease parcel will be determined based upon as-builts; and

WHEREAS, Aviation Sports has agreed to pay the Authority annual rent in the amount of \$0.25/sq.ft. for the parcel; and

WHEREAS, Aviation Sports has agreed to pay Transaction Rent in the amount of 4% of any sale of the property or refinance; and

WHEREAS, the term of the Lease Agreement (“Agreement”) is for Twenty (20) years; and

WHEREAS, rent shall increase annually by the Consumer Price Index (CPI); and

WHEREAS, rent shall adjust at the beginning of year five (5), ten (10) and year fifteen (15) to the then Fair Market Value (FMV); and

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

Resolution 23-60 was moved by Commissioner Becker, seconded by Commissioner Decker, and was approved by a roll call vote of 11-0.

Resolution 23-60 - Executive Summary

Resolution: Authorizing the Execution of the Lease Agreement between the Delaware River and Bay Authority and Aviation Sports Complex, LLC at the Cape May Airport.

Committee: Economic Development

Committee Date: December 19, 2023

Board Date: December 19, 2023

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 the Cape May Airport. Aviation Sport Complex, LLC is planning on constructing an indoor sports complex that will offer soccer fields, pickleball courts and volleyball year-round. We have received letters of support for the project from various entities to include the Greater Wildwood Chamber of Commerce, the Lower Cape May Regional School District Athletic director and former Mayor of Lower Township, Ocean City High School Baseball coach, former US Congressman Patrick Murphy, among many others. The annual rent is based upon the current land rental rate at the airport.

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RESOLUTION 23-61 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND 105 BARON, LLC. AT THE MILLVILLE AIRPORT

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

WHEREAS, 105 Baron, LLC. desires to lease approximately 24,050 square feet of land at the Millville Airport in order to construct a hangar for business use. A final lease parcel will be determined based upon as-builts; and

WHEREAS, 105 Baron, LLC has agreed to pay the Authority annual rent in the amount of \$0.30/sq.ft. for the parcel; and

WHEREAS, the term of the Lease Agreement (“Agreement”) is for Twenty (20) years; and

WHEREAS, rent shall increase annually by the Consumer Price Index (CPI); and

WHEREAS, rent shall adjust at the beginning of year five (5), ten (10) and year fifteen (15) to the then Fair Market Value (FMV); and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with 105 Baron, LLC. and, with the consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

Resolution 23-61 was moved by Commissioner Decker, seconded by Commissioner McCann, and was approved by a roll call vote of 11-0.

Resolution 23-61 - Executive Summary

Resolution: Authorizing the Execution of the Lease Agreement between the Delaware River and Bay Authority and 105 Baron, LLC at the Millville Airport.

Committee: Economic Development

Committee Date: December 19, 2023

Board Date: December 19, 2023

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

Background for Resolution:

The Delaware River and Bay Authority operates the Millville Airport. 105 Baron, LLC is a current aircraft operator utilizing the Millville Airport in support of his local construction business. He would like to construct and own his own facility at the airport. He is planning on constructing a 100' x 100' hangar. The annual rent is based upon the current land rental rate at the airport.

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RESOLUTION 23-63 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND MARK PORTO AT THE WILMINGTON AIRPORT

WHEREAS, The Delaware River and Bay Authority (the "Authority"), is the operator of the Wilmington Airport ("Airport"), New Castle, Delaware; and

WHEREAS, Mark Porto desires to lease approximately 43,000 square feet of land at the New Castle Airport in order to construct a hangar for personal use. A final lease parcel will be determined based upon as-builts; and

WHEREAS, Mark Porto has agreed to pay the Authority annual rent in the amount of \$1.00/sq.ft. for the parcel; and

WHEREAS, the term of the Lease Agreement ("Agreement") is for Twenty (20) years; and

WHEREAS, rent shall increase annually by the Consumer Price Index (CPI); and

WHEREAS, rent shall adjust at the beginning of year five (5), ten (10) and year fifteen (15) to the then Fair Market Value (FMV); and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Mark Porto and, with the consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

Resolution 23-63 was moved by Commissioner Becker, seconded by Commissioner Smith, and was approved by a roll call vote of 11-0.

Resolution 23-63 - Executive Summary

Resolution: Authorizing the Execution of the Lease Agreement between the Delaware River and Bay Authority and Mark Porto at the Wilmington Airport.

Committee: Economic Development

Committee Date: December 19, 2023

Board Date: December 19, 2023

Purpose of Resolution:

To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Lease Agreement for space at the Wilmington Airport.

Background for Resolution:

The Delaware River and Bay Authority operates Wilmington Airport. Mark Porto is a current aircraft operator utilizing Wilmington Airport. He would like to construct and own his own facility at the airport. He is planning on constructing a 60’ x 90’ hangar with associated office and shop space. The annual rent is based upon the current land rental rate at the airport.

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RESOLUTION 23-64 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 23-28 FOR THE PERIOD, JANUARY 1, 2024 THROUGH DECEMBER 31, 2024

WHEREAS, The Delaware River and Bay Authority (the “Authority”) adopted Resolution 23-28 requiring Commissioner review and approval of all Authority expenditures in excess of \$50,000; and

WHEREAS, the Authority anticipates expenditures at or over the \$50,000 amount to the following vendors:

DELAWARE RIVER & BAY AUTHORITY
VENDORS PROJECTED TO BE PAID OVER \$50,000
FOR THE PERIOD 1/1/24 THROUGH 12/31/24

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
ADB Safegate Americas, LLC	Airfield Lighting System Components	Sole Source	\$100,000
Adelte Ports and Maritime SLU	Passenger Loader Tubes Maintenance Program at CMLF	Proprietary	\$57,000
Advantech, Inc.	Replacement Video Management System	State Contract	\$250,000
American Bureau of Shipping d/b/a ABS Americas	Vessel Inspections and Certifications	Sole Source	\$60,000

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Art Guild of Philadelphia d/b/a Art Guild Inc.	Exhibit Booth and Related Services	Proprietary	\$60,000
Assurance Media, LLC	Service and Equipment Installation for CCTV & Conference Room Upgrades	State Contract	\$250,000
AVAYA, Communications, Inc., c/o Ring Central	Authority-wide Phone System Service and Support	State Contract	\$150,000
Avfuel Corporation	Avgas for Resale at 33N	Quotes	\$50,000
Carus AB LTD.	Maintenance, Support and Hosting for CMLF Fare Collection and Reservation System	Proprietary	\$300,000
Chammings Electric, Inc.	Annual Maintenance and Monitoring of the DMB Dehumidification System	Sole Source	\$73,000
Clear Channel Outdoor Holdings, Inc d/b/a Clear Channel Outdoor LLC	Billboard Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$80,000
Deere & Company c/o Jesco	Replacement Backhoe and Loader	Cooperative Contract	\$450,000
Delaware Business Systems, Inc. d/b/a DBS	Annual Maintenance and Equipment for Point-of-Sale System at CMLF Terminals	Proprietary	\$50,000
Downstream Aviation, LP d/b/a Epic Aviation, LLC	Avgas for Resale at 33N	Quotes	\$50,000
DVL Group, Inc.	Uninterruptible Power Systems (UPS) Services and Replacements	Proprietary	\$100,000
Eastern Aviation Fuels, Inc., d/b/a Titan Aviation Fuels, Inc.	Avgas for Resale at 33N	Quotes	\$50,000
eMaint	Annual Licenses, Maintenance and Support for CMMS System	Proprietary	\$65,000
Engine Systems, Inc. d/b/a Marine Systems Inc. (MSI)	M/V Delaware Main Engine Service	Proprietary	\$95,000
Enterprise Leasing Company of Philadelphia LLC d/b/a Enterprise Rent-A-Car	Lease of Fleet Vehicles	State Contract	\$407,000
Fairbanks Morse, LLC	Replacement Parts for M/V Cape Henlopen	Proprietary	\$336,000
Fedway Associates, Inc.	Wine and Spirits for CMLF	Sole Source	\$60,000

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
GovConnection, Inc.	Microsoft Enterprise and other Software Licensing	Proprietary	\$750,000
Griffith Energy Services d/b/a Carl King	Gasoline and Diesel Fuel	State Contract	\$154,000
HCGI Hartford, Inc. d/b/a HCGI	Desktop and Laptop Computers at Various DRBA Locations	State Contract	\$150,000
Info Solutions North America d/b/a Info Solutions LLC	Data Communications, Products and Services	State Contract	\$975,000
International Truck, Navistar c/o Baylor	Replacement Dump Truck	Cooperative Contract	\$110,000
Kapsch TrafficCom IVHS, Inc.	Annual Service, Support and Traffic Automation System for Traffic Management System	Proprietary	\$115,000
Keystone Outdoor Advertising Company, Inc.	Digital Billboard Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$55,000
Lamar Texas Limited Partnership d/b/a The Lamar Companies	Billboard Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$166,000
Lawmen Supply Company, a Municipal Emergency Services, Inc., Company	Ammunition and Body Armor	State Contract	\$60,000
Liberty Coca-Cola Beverages, LLC	Fountain and Bottled Soda and Beverages for CMLF	Sole Source	\$125,000
Marine Safety Corporation	Vessel Life Raft Inspections	Proprietary	\$400,000
Miles Partnership, LLLP	CMLF Website Maintenance and Upgrades	Proprietary	\$55,000
Motorola Solutions, Inc.	Radio Maintenance and Equipment	State Contract	\$700,000
Motorola Solutions, Inc.	Police In-Car Video Management System	Proprietary	\$250,000
Newark Kubota Inc. d/b/a Burke Equipment Co.	Replacement Mowers and Utility Vehicle	State Contract	\$150,000
Oracle America, Inc.	Annual Maintenance and Support for Oracle Databases	Proprietary	\$51,000
PetroChoice	Vessel Lube Oil	Sole Source	\$130,000
Runway Safe, Inc.	Replace EMAS Blocks for ILG Runway 19 Departure End	Proprietary	\$340,000

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Selex-ES, Inc.	Installation of Automatic License Plate Reader System on Southbound Span of Delaware Memorial Bridge	Committee Waiver	\$180,000
Siemens Industry, Inc.	Fire Detection System Installation and Support	Proprietary	\$175,000
South Jersey Paper Products	Food Service Items, Disposable, Paper and Plastic at CMLF	State Contract	\$125,000
Spruce Technology, Inc.	Website Redevelopment for DRBA Airports	Proprietary	\$74,000
Talarico Building Services, Inc. d/b/a ServiceMaster TBS	Janitorial Services at ILG Terminal	Committee Waiver	\$232,000
The Revenue Markets, Inc. d/b/a TRMI Systems Integration	Toll Lane Treadles	Proprietary	\$50,000
Thomas J. Morris, III, d/b/a Eagle Point Gun/T.J. Morris & Son	Police Ammunition, Range, and Target Supplies	State Contract	\$60,000
Townsquare Media	Radio Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$52,000
Tyler Technologies, Inc.	Maintenance and Support for Finance and Human Resources ERP Systems and Police CAD System	Proprietary	\$200,000
UKG Kronos Systems, LLC	Software Licensing and Maintenance for Time and Attendance System	Proprietary	\$74,000
UniFirst Corporation	New and Replacement Employee Uniforms	Cooperative Contract	\$50,000
United Electric Supply Co.	Various Electrical Supplies for All Facilities	State Contract	\$150,000
Verizon Connect NWF, Inc.	Authority-Wide Wireless Fleet Management Services	State Contract	\$60,000
Waste Management	Refuse Removal Services	State Contract	\$135,000
Wayman Fire Protection, Inc.	Fire Alarm Monitoring, Inspection and System Installations	Proprietary	\$150,000
World Fuel Services, Inc.	Unleaded Gasoline for DMB Vehicles and Equipment	State Contract	\$197,000

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

Resolution 23-64 was moved by Commissioner Decker, seconded by Commissioner Becker, and was approved by 10 votes in affirmative, 0 votes in the negative and 1 partial abstention.

Commissioner Carey abstained only as to Info Solutions North America d/b/a Info Solutions LLC.

Resolution 23-64 - Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 23-28 for the period January 1, 2024, through December 31, 2024.

Committee: Budget & Finance

Committee and Board Date: December 19, 2023

Purpose of Resolution:

Authorizes expenditures of \$50,000 or greater with the identified vendors during the 2024 calendar year.

Background for Resolution:

The proposed Resolution meets the requirements of Resolution 23-28, 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 \$50,000 or more unless it has first been approved by a vote of Commissioners.

Purchase Detail:

ADB Safegate Americas LLC: Airfield Lighting System Components

The FAA recently clarified certain elements of several Advisory Circulars as they pertain to recipients' use of non-original equipment manufacturer (OEM) components in FAA-certified airport lighting equipment. Airfield lighting systems purchased by the Authority as part of a federal Airport Improvement Program (AIP) project, or if funded with passenger facility charge (PFC) revenue, are required to be maintained in the same configuration as that which existed at certification and thus the FAA has confirmed that the replacement of OEM parts with non-OEM parts is forbidden. Additionally, the FAA has advised that if the Authority were to elect to use a non-OEM part on a self-funded project, we would no longer be able to rely upon the FAA certification, and in such a case, the responsibility (including the responsibility to satisfy FCC regulatory requirements) would fall on the Authority to make sure that the system with the non-OEM replacement parts or components meets the federal requirements. Therefore, Authority staff recommends using solely OEM components in all FAA-certified airport lighting equipment, whether the Authority acquired or installed the lights with AIP, PFC, or its own funds. ADB is the OEM manufacturer of Authority airfield lighting systems.

Adelte Ports and Maritime SLU: Passenger Loader Tubes Maintenance Program at CMLF

The Authority entered into a service agreement for annual preventative maintenance training when it purchased the Adelte passenger boarding bridges located at the CMLF Terminals. As the original equipment manufacturer, Adelte technicians make several visits to train Authority staff on proper inspection, testing and lubrication of the system's mechanical, electrical and control equipment.

Advantech Inc.: Replacement Video Management System

The Authority will be utilizing Advantech to replace the current Video Management System (VMS). Advantech sells and supports Milestone Systems, the new VMS manufacturer selected by the Authority, and will provide integration and implementation of the new VMS in accordance with the prices of their competitively-bid state contract for Building Access Security Services (*GSS 19599-BLDG_SECURE*).

American Bureau of Shipping d/b/a ABS Americas: Vessel Inspections and Certifications

The American Bureau of Shipping (ABS) is the sole regulatory body authorized to perform inspections on vessels that are built according to ABS standards/classifications. All of the Authority's vessels were built to ABS standards and thus all are subject to ABS inspections and associated US Coast Guard regulations.

Art Guild of Philadelphia d/b/a Art Guild, Inc.: Exhibit Booth and Related Services

The Authority attends several aviation-related conferences to promote its airport facilities throughout the year. Art Guild was hired to design and build a professional exhibit booth for the Authority to use during such events. Art Guild stores our exhibit booth in the off-season and ships and assembles it to locations as requested by the Authority.

Assurance Media, LLC: Service and Equipment Installation for CCTV

As part of its Security Enhancement Program, the Authority continues to upgrade its closed-circuit television (CCTV) located throughout the facilities to improve surveillance and video streams, add network flexibility, and provide enhanced features such as remote accessibility. The replacement equipment, professional services, and implementation will be purchased at prices matching Assurance Media's state contract to provide Building Access and Video Surveillance Systems, (*GSS21745-AV_EQPTCONF*) is estimated at \$100,000. The Authority also plans to upgrade (2) conference rooms at the Delaware Memorial Bridge Administration Building to enhance functionality, incorporating modern technology and design elements for improved meeting experiences. The upgrade is aimed at improving flexibility and collaboration among conferencing sites. The replacement equipment, professional services, and implementation will be procured at prices pursuant to Assurance Media's state contract (*GSS21745-AV_EQPTCONF*) estimated at \$150,000.

AVAYA, Communications, Inc., c/o Ring Central: Authority-wide Phone System Service and Support

The Authority purchases AVAYA enterprise phone system support from Ring Central for its on-premises phone system. Purchases are made at their state contract price (*T1316 - Telecommunications Equipment & Services, Contract No. 80802*).

Avfuel Corporation: Avgas for Resale and Off-Road Diesel at 33N

Avfuel, Titan Aviation Fuels, Inc., and Epic Aviation, LLC have been identified as having the service ability to routinely deliver aviation gasoline (avgas) in small container loads (33N storage capacity is limited to 5,000 gallons) at competitive rates. Since it is impossible to predict which vendor will be offering the best spot rate at any time during the year, all three vendors have been added as possible fuel suppliers and will be contacted for quotes corresponding with our avgas needs.

Carus AB Ltd: Maintenance, Support and Hosting for CMLF Fare Collection and Reservation System

Carus is the proprietary vendor that developed the Fare Collection and Reservation System for the Cape May-Lewes Ferry. This expenditure will cover the annual maintenance and support expense for this system as well as the purchase of additional modules.

Chammings Electric, Inc: Annual Maintenance and Monitoring of the DMB Dehumidification System

Over the previous four years, Chammings Electric, as a subcontractor of American Bridge, has performed monthly preventative maintenance services to the Delaware Memorial Bridge cable dehumidification system. The Authority and its professional consultants have evaluated the options to continue receiving these necessary services, including assigning to in-house personnel, or continuing with a contractor, and based on a favorable cost analysis and Chamming's proven abilities, the Authority entered into a successive multi-year contract with Chammings Electric. 2024 will represent the third year of the potential five-year contract for these services, to be reassessed annually.

Clear Channel Outdoor Holdings, Inc. d/b/a Clear Channel Outdoor LLC: Billboard Advertising Associated with Commercial Air Service at ILG

The Authority plans to continue contracted services with Clear Channel Outdoor to provide billboard advertising related to the Air Service Incentive Agreement and the airport marketing associated with commercial air service at ILG.

Deere & Company c/o Jesco: Replacement Backhoe and Loader

The Authority plans to replace one (1) backhoe and one (1) loader as the previous equipment has exceeded its useful life and is programmed in the 2024 Capital Equipment Replacement Plan. The equipment will be purchased pursuant to the competitively bid cooperative contract (*Sourcewell 011723-JDC*).

Delaware Business Systems: Annual Maintenance and Equipment for Point-of-Sale System at CMLF Terminals

Delaware Business Systems provides proprietary hardware and annual maintenance to the existing Food & Retail point-of-sale system at CMLF terminals.

Downstream Aviation, LP d/b/a Epic Aviation, LLC: Avgas for Resale at 33N

Epic Aviation, LLC, Titan Aviation Fuels, Inc., and Avfuel have been identified as having the service ability to routinely deliver aviation gasoline (avgas) in small container loads (33N storage capacity is limited to 5,000 gallons) at competitive rates. Since it is impossible to predict which vendor will be offering the best spot rate at any time during the year, all three vendors have been added as possible fuel suppliers and will be contacted for quotes corresponding with our avgas needs.

DVL Group, Inc.: Uninterruptible Power Systems (UPS) Services and Replacements

The DRBA utilizes the expertise of the DVL Group to provide infrastructure management solutions and services. Uninterruptible Power Supplies (UPS) sustain the Authority's

critical operations/infrastructure in the following locations: DMB Administration - Authority Wide Server Room, DMB Julia Building - Toll System and critical power, Lewes Administration - Server Room, and Cape May Administration - Server Room.

Eastern Aviation Fuels, Inc., d/b/a Titan Aviation Fuels: Avgas for Resale at 33N

Titan Aviation Fuels, Inc., Epic Aviation, LLC and Avfuel have been identified as having the service ability to routinely deliver aviation gasoline (avgas) in small container loads (33N storage capacity is limited to 5,000 gallons) at competitive rates. Since it is impossible to predict which vendor will be offering the best spot rate at any time during the year, all three vendors have been added as possible fuel suppliers and will be contacted for quotes corresponding with our avgas needs.

eMaint: Annual Licenses, Maintenance and Support for CMMS System

The Authority uses a proprietary Computerized Maintenance Management System (CMMS) to help schedule, plan, manage, and track maintenance activities associated with equipment, vehicles, and facilities. This purchase represents the estimated annual cost for licenses, maintenance, and support.

Engine Systems, Inc. d/b/a Marine Systems Inc. (MSI): M/V Delaware Main Engine Service

MSI is the regional sales, parts, and service distributor for the Electro Motive Division (EMD) main engines installed on the M/V Delaware. This purchase is for the 16,000-hour maintenance of the port and starboard engines, including inspection of engine internals and aftercoolers, and replacement fuel injectors, valve bridges, sensors, and wiring harnesses.

Enterprise Leasing Company of Philadelphia LLC /dba/ Enterprise Rent-A-Car: Lease of Fleet Vehicles

The Authority plans to enter into lease arrangements for fleet vehicles at all locations. Each vehicle lease will be entered into at prices pursuant to the vendor's Nationwide Vehicle Rental Services contract with the state (*GSS19694-VEH_RENTAL*).

Fairbanks Morse, LLC: Replacement Parts for M/V Cape Henlopen

Fairbanks Morse is the proprietary supplier of replacement parts for repairs and maintenance of the main engine on the M/V Cape Henlopen.

Fedway Associates, Inc.: Wine and Spirits for CMLF

The Authority purchases wine and spirits through Fedway Associates for its Cape May terminal food operations. Fedway Associates holds the exclusive regional distribution rights to the specific brands that the Authority uses according to customer demand. Sales are regulated by the State of New Jersey Alcoholic Beverage Commission.

GovConnection, Inc.: Microsoft Enterprise and other Software Licensing

The Authority purchases Microsoft Enterprise operating licenses (such as Windows Enterprise, Microsoft Office, etc.) and other software licenses from Gov Connections, a licensed Microsoft reseller.

Griffith Energy Services d/b/a Carl King: Gasoline and Diesel Fuel

The Authority stores and dispenses Gasoline and Diesel Fuel at its Delaware-based facilities for use in Authority-owned vehicles and equipment. The price per-gallon of gasoline and diesel fuel is competitively awarded by the State according to the county and the capacity of the tank in which the purchased fuel will be stored. Carl King Energy is currently a party to a competitively-bid state contract to provide gasoline and diesel fuel to “A” tanks in Kent and Sussex Counties and “B” tanks in all counties (*GSS21002-GASOLINE and GSS21550-ULSD*).

HCGI Hartford, Inc. d/b/a HCGI: Desktop and Laptop Computers at Various DRBA Locations

The Authority uses HP hardware technology and will be purchasing desktop and laptop computers from HCGI, an authorized reseller of Hewlett Packard (HP) products. New and replacement units will be installed at various locations as needed. HCGI is a party to state contract (*GSS15133-COMPUTER*) to resell HP hardware and offers those contract prices to the Authority.

Info Solutions North America, LLC d/b/a Info Solutions LLC: Data Communications, Products and Services

The Authority plans to purchase various Cisco Systems data communications, products, and services at prices pursuant to their current state contract for the same. Purchases will be made via Info Solutions, a local authorized reseller of Cisco Systems under state contract (*GSS20579 Data Communications, Products and Services*).

International Truck, Navistar c/o Baylor: Replacement Dump Truck

The Authority plans to replace one (1) dump truck as the previous equipment has exceeded its useful life and is programmed in the 2024 Capital Equipment Replacement Plan. The equipment will be purchased pursuant to the competitively bid cooperative contract (*Sourcewell 060920-NVS*).

Kapsch TrafficCom USA, Inc.: Annual Service, Support and Traffic Automation System for Traffic Management System

Kapsch is the proprietary supplier of the DMB traffic management software system and provides annual maintenance, equipment, support, and enhancements. The Authority uses Kapsch as its provider of intelligent transportation systems in the areas of tolling, traffic management and traffic safety.

Keystone Outdoor Advertising Company, Inc.: Digital Billboard Advertising Associated with Commercial Air Service at ILG

The Authority plans to continue contracted services with Keystone Outdoor Advertising to provide digital billboard advertising related to the Air Service Incentive Agreement and the airport marketing associated with commercial air service at ILG.

Lamar Texas Limited Partnership d/b/a The Lamar Companies: Billboard Advertising Associated with Commercial Air Service at ILG

The Authority plans to continue contracted services with Lamar Outdoor to provide billboard advertising related to the Air Service Incentive Agreement and the airport marketing associated with commercial air service at ILG.

Lawmen Supply Company, a Municipal Emergency Services, Inc., Company:
Ammunition and Body Armor

Lawmen Supply Company is a party to state contracts (*GSS21585 – BODY ARMOR*) and (*GSS21043 - AMMUNITION*) and provides police and homeland security equipment to DRBA Police at their state contract price.

Liberty Coca-Cola Company Beverages, LLC: Fountain and Bottled Soda and Beverages for CMLF

The Authority has contracted the Coca-Cola Co. to distribute its beverage products throughout the CMLF vessels and terminals. Coca-Cola is sold according to exclusive distribution rights.

Marine Safety Corporation: Vessel Life Raft Inspections

Marine Safety Corporation is the local proprietary providers and suppliers of replacement parts for overhauls, emergency repairs and maintenance of the existing life rafts installed on all Authority vessels.

Miles Partnership, LLLP: CMLF Website Maintenance and Upgrades

Miles Partnership was previously hired to redesign and rebuild the CMLF.com website on a new content management/digital platform and will continue to maintain and provide upgrades on the CMLF page in 2024 including upgrade to Drupal 10 platform.

Motorola Solutions, Inc.: Radio Maintenance and Equipment

The Authority continues to replace all 800 MHz hand-held and in-vehicle radios at pricing in accordance with the state contract held by Motorola (*GSS21676-COMMEQUIP*).

Motorola Solutions, Inc.: Police In-Car Video Management System

The DRBA Police Department requires the proprietary purchase of WatchGuard in-car video systems. This is the final stage of the effort to equip all Police Officers with similar technology.

Newark Kubota c/o Burke Equipment Co.: Replacement Mowers and Utility Vehicle

The Authority is replacing two (2) front mount mowers, three (3) walk-behind mowers, and one (1) utility vehicle with plow that have exceeded their useful life, meet the Authority's vehicle replacement criteria, and are programmed in the 2024 Capital Equipment Replacement Plan. The replacement vehicles will be purchased at prices pursuant to Kubota's state contract (*GSS21673-GRNDMAINT*).

Oracle America, Inc.: Annual Maintenance and Support for Oracle Databases

Oracle is the proprietary database used for the existing Time Attendance System, the Fare Collection System, the Toll Reconciliation System, and the Procurement/Project Management System. The estimated cost will cover the annual maintenance plus the duplication of the Oracle database for disaster recovery.

PetroChoice: Vessel Lube Oil

Due to the volatility of the petroleum markets, the Authority solicits quotes from all available area providers before making bulk purchases of the ExxonMobil lubricating oil utilized on all Authority vessels. PetroChoice has been identified as having the ability to provide a minimum of 1,000 USG to the Authority. This procurement method allows the Authority to react quickly to swings in spot pricing and ensure that the Authority receives the best value at the time of purchase.

Runway Safe, Inc.: Replace EMAS Blocks for ILG Runway 19 Departure End

The Authority is required to maintain the EMAS infrastructure in a safe condition in compliance with FAA standards and grant assurances. During the replacement of the damaged EMAS Seam Seal and side coating for Runway 19 departure end at the New Castle Airport, it was discovered the EMAS blocks under the sealant were also damaged and will be repaired in accordance with manufacturer's recommendations. Runway Safe is the sole proprietor of the EMAS bed infrastructure at New Castle Airport and as such the repairs must be performed by a Runway Safe approved subcontractor, under their inspection and certification responsibility.

Selex-ES, Inc.: Installation of Automatic License Plate Reader System on Southbound Span of Delaware Memorial Bridge

The Authority plans to replace the Automatic License Plate Reader (ALPR) system located on the southbound span of the bridge as the existing system has reached the end of useful life. This ALPR system will identify possible high-risk patrons and provide DRBA police officers with a tool to enhance the safety and protection of drivers and passengers on the bridge. As the ALPR system was approved for installation at the Cape May and Lewes Ferry Terminals in 2023, the Authority believes it will be beneficial to continue with Selex to provide the same technology and services on the southbound span of the bridge. The Authority requests a Committee Waiver to contract with Selex to provide the installation, equipment, and maintenance for the southbound span of the bridge.

Siemens Industry, Inc.: Fire Detection System Installation and Support

The Authority utilizes fire alarm system equipment manufactured by Siemens at all Delaware Memorial Bridge and Cape May-Lewes Ferry facilities and requires the proprietary programming services of the original equipment manufacturer to update the system at each facility to reflect changes to building infrastructure. The Authority also utilizes Siemens for general deficiency resolution requiring hardware and software modifications.

South Jersey Paper Products: Food Service Items, Disposable, Paper and Plastic at CMLF:

South Jersey Paper offers the Authority state contract pricing via the state contract (19-FOOD-01328).

Spruce Technology, Inc.: Website Redevelopment for DRBA Airports

The Authority previously contracted with Spruce Technology to provide website redevelopment and implementation of the DRBA-family of websites. The continued services include redevelopment of ILG and MIV sites onto Drupal 10 platform.

Talarico Building Services, Inc. d/b/a ServiceMaster TBS: Janitorial Services at ILG Terminal

In 2022, in preparation for the return of commercial airline service to Wilmington-New Castle Airport (ILG), solicited quotes from twelve (12) contractors, and received six (6) competitive quotes for three 1-year terms. ServiceMaster TBS submitted the lowest bid to perform the work in accordance with the Authority's specifications. 2024 represents the second year of a potential three-year service agreement.

The Revenue Markets Inc. d/b/a TRMI Systems Integration: Toll Lane Treadles

TRMI manufactures the treadles that are used to classify vehicles as they enter DRBA toll collection lanes. TRMI treadles are proprietary to the toll lanes installed at the Delaware Memorial Bridge and cannot be purchased from any other vendor.

Thomas J. Morris, III, d/b/a Eagle Point Gun / T.J. Morris & Son: Police Ammunition, Range and Target Supplies

Eagle Point Gun / T.J. Morris & Son is a party to a state contract (*17-Fleet-00721 - Law Enforcement Firearms Equipment and Supplies*) and provides firearms and supplies to DRBA Police at their state contract price.

Townsquare Media: Radio Advertising Associated with Commercial Air Service at ILG

The Authority plans to continue contracted services with Townsquare Media to provide radio advertising related to the Air Service Incentive Agreement and the airport marketing associated with commercial air service at ILG.

Tyler Technologies: Maintenance and Support for Finance and Human Resources ERP Systems and Police CAD System

Tyler Technologies is the proprietary vendor that developed the Authority's Enterprise Resource Planning Systems (MUNIS) and the Police CAD System. This purchase will cover the annual maintenance expenses for these systems.

UKG Kronos Systems, LLC: Software Licensing and Maintenance for Time and Attendance System

Kronos is the proprietary time and attendance system used throughout the Authority. The estimated cost includes the annual maintenance contract as well as the purchase of additional time clocks.

UniFirst Corporation: New and Replacement Employee Uniforms

The Authority purchases quality embroidered and logo-imprinted work uniforms for use by Maintenance, Electronics and Engineering Department personnel. A variety of uniforms that the Authority requires throughout the year will be purchased via UniFirst's competitively bid cooperative contract (*Sourcewell #040920-UFC: Uniforms and Uniform-Related Products and Services*).

United Electric Supply Co.: Various Electrical Supplies for all Facilities

The Authority purchases bulbs, lighting fixtures, panel boxes, covers, ballasts, wire, cable, circuit breakers and other miscellaneous electrical components for use at all facilities through state contract pricing (*GSS22491-ELECTRICAL*) as awarded to United Electric.

Verizon Connect NWF, Inc.: Authority-wide Wireless Fleet Management Services

Verizon Connect NWF is under state contract (*GSS22838-VEH_TRACK*) to provide wireless fleet management services. The estimated cost will cover the annual wireless expense to track and monitor all Authority-owned vehicles.

Waste Management: Refuse Removal Services

Waste Management provides the Authority with solid waste removal. Waste Management holds a state contract for refuse hauling and container rental service (*GSS20061*).

Wayman Fire Protection, Inc.: Fire Alarm Monitoring, Inspection and System Installations

The Authority currently uses the services of Wayman Fire Protection for fire alarm monitoring inspections, replacements, and repairs at all DRBA facilities.

World Fuel Services, Inc.: Unleaded Gasoline for DMB Vehicles & Equipment

The Authority stores and dispenses unleaded gasoline at the DMB Administrative Complex for use in Authority-owned vehicles and equipment. The price per-gallon for gasoline is competitively awarded by the State according to the county and the capacity of the tank which the purchased gasoline will be stored. World Fuel Services is currently a party to the lowest-priced state contract to provide gasoline to “A” tanks located within New Castle County (*GSS21002-GASOLINE*).

Classification Definitions:

Committee Waiver.

The Budget and Finance Committee, in consideration of the overall procurement process, may increase or waive the thresholds established in paragraphs 1 and 2 of Resolution 98-31 for the following reasons: operational needs and issues, a need for uniformity and continuity in materiel and services required by the Authority, and unique or special needs of the Authority including, but not limited to, the desirability of owner furnished materiel and supplies in vessel repair, maintenance, renovation and rehabilitation (DRBA Resolution 98-31 Part 3)

Cooperative Contract. A purchase of equipment, supplies or non-professional services which, under normal circumstances, would require public competitive bidding in accordance with Resolution 98-31, however the vendor has agreed to provide the goods or services to the Authority at prices less than or equal to that vendor’s respective contract pricing awarded as a result of a public and competitively bid cooperative contract intended for the use of other 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).

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.)

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 23-65 – ADOPTING THE DELAWARE RIVER AND BAY AUTHORITY’S 2024 CAPITAL IMPROVEMENT PROGRAM (CIP)

WHEREAS, The Delaware River and Bay Authority (the “Authority”) has developed a 2024 Capital Improvement Program (CIP) for major and minor capital projects Authority-wide in the amount of \$116,700,000.00 in Authority funds and \$15,959,000.00 in external funds, for a total of \$132,659,000.00; and

WHEREAS, the proposed CIP makes investments at the Delaware Memorial Bridge, the Cape May-Lewes Ferry, the Forts Ferry, the New Castle Airport, the Delaware Air Park, the Civil Air Terminal, the Millville Executive Airport, and the Cape May Airport; and

WHEREAS, the Projects Committee has conducted a publicly advertised meeting on the proposed 2024 CIP; and

WHEREAS, the Authority’s Projects Committee has reviewed and approved the proposed 2024 CIP and recommends its adoption by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts the 2024 CIP investment proposal in the amount of \$132,659,000.00.

Resolution 23-65 was moved by Commissioner Becker, seconded by Commissioner Wilson, and was approved by a roll call vote of 11-0.

Resolution 23-65 - Executive Summary Sheet

Resolution: Authorizing the adoption of The Delaware River and Bay Authority’s 2024 Capital Improvement Program (CIP) investment proposal.

Committee: Projects Committee

Committee Date: December 19, 2023

Board Date: December 19, 2023

Purpose of Resolution: To authorize adoption of the Delaware River and Bay Authority’s 2024 Capital Improvement Program (CIP) investment proposal in the amount of \$116,700,000.00 in Authority funds and \$15,959,000.00 in external funds, for a total of \$132,659,000.00.

Background for Resolution:

The Delaware River and Bay Authority has developed a 2024 Capital Improvement Program (CIP) for major capital improvement projects, minor capital maintenance projects, minor capital equipment purchases, and automation/telecom upgrades at the Delaware Memorial Bridge, the Cape May-

Lewes Ferry, the Forts Ferry, the New Castle Airport, the Millville Executive Airport, the Cape May Airport, the Delaware Air Park, and the Civil Air Terminal in the amount of \$116,700,000.00 in Authority funds and \$15,959,000.00 in external funds, for a total of \$132,659,000.00.

The implementation of this 2024 Capital Improvement Program will provide for the proper maintenance and improvement of the Authority’s infrastructure and facilities and assure that the public continues to enjoy safe and efficient transportation services.

The 2024 CIP is accompanied by a Five-Year (2024-2028) Strategic Plan showing projections for four additional years of capital spending.

The Projects Committee has conducted a publicly advertised meeting on the proposed 2024 CIP, approved the proposed 2024 CIP, and recommends its adoption to the Board of Commissioners.

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RESOLUTION 23-66 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND ARAMARK SPORTS AND ENTERTAINMENT, LLC AT THE CAPE MAY FERRY TERMINAL

WHEREAS, The Delaware River and Bay Authority (the “Authority”), is the operator of the Cape-May Lewes Ferry (“CMLF”) which includes the terminal building located in Cape May, New Jersey (the “Cape May Terminal Building”); and

WHEREAS, Aramark Sports and Entertainment, LLC (“Aramark”) desires to lease approximately 11,748 rentable square feet of space in the Cape May Terminal Building and 15,547 rentable square feet of contiguous patio space (the “Leased Premises”) and have periodic exclusive access to the contiguous green; and

WHEREAS, the Leased Premises is being leased in its “as-is” condition and Aramark’s initial offer is to undertake at least five hundred thousand dollars (\$500,000) of capital improvements over the term of the lease, subject to re-amortization if the lease terminates early; and

WHEREAS, the proposed initial term of the lease is ten (10) years with both parties having the option to mutually agree to extend the lease; and

WHEREAS, Aramark has offered to pay the Authority seventy-five thousand dollars (\$75,000) annual base rent during each year of the lease; and

WHEREAS, annual base rent is proposed to increase with a CPI adjustment every five years; and

WHEREAS, in addition to base rent, Aramark has offered to pay the Authority percentage rent at a rate of seven and one-half percent (7.5%) of gross revenues above one million five hundred thousand

dollars (\$1,500,000), and ten percent (10%) of gross revenues above three million and one dollars (\$3,000,001); and

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

Resolution 23-66 was moved by Commissioner Decker, seconded by Commissioner Smith, and was approved by a roll call vote of 11-0.

Resolution 23-66 - Executive Summary

Resolution: Authorizing the Negotiation of a Lease Agreement between the Delaware River and Bay Authority and Aramark Sports and Entertainment, LLC.

Committee: Budget and Finance

Committee/Board Date: December 19, 2023

Purpose of Resolution: To authorize negotiation of a lease agreement with Aramark Sports and Entertainment, LLC to operate food and retail establishments in the Cape May Terminal Building of the Cape-May Lewes Ferry.

Background for Resolution: The Authority circulated a Request for Proposals to lease the space in the Cape May Terminal Building in Cape May, New Jersey and received and evaluated proposals submitted by the following firms:

Aramark Sports and Entertainment, LLC
Nobil Food Services, LLC

The Authority carefully reviewed the proposal submission of each firm, interviewed both, and utilized evaluation criteria to establish a ranked list, with Aramark unanimously being ranked highest. The Authority conducted an analysis of the market to analyze the scope of the proposal, will negotiate with said firm to provide compensation to the Authority in the form of base rent plus a share of revenues, at a rate determined to be fair and reasonable.

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RESOLUTION 23-67 - AMENDING RESOLUTION 23-45

The Executive Director presented the following Resolution.

WHEREAS, pursuant to Resolution 23-45, duly adopted by the Board of Commissioners ("**Board**") of the Delaware River and Bay Authority (the "**Authority**") on September 19, 2023 ("**Bond Resolution**"), the Authority heretofore has determined, among other things, to: (i) provide for the costs of certain Additional Facilities constituting a portion of its Five-Year Capital Plan (for fiscal years ending December 31, 2023 through 2027, inclusive); and (ii) currently refund the Authority's outstanding Revenue Bonds, Series 2014A and Revenue Bonds, Refunding Series 2014B for debt service savings (collectively, the "**Project**"); and

WHEREAS, in accordance with the Bond Resolution, Authority has determined to authorize the issuance of two (2) separate series of its revenue bonds (collectively, the "**Bonds**") to finance the costs of the Project; and

WHEREAS, pursuant to the Bond Resolution, Citigroup Global Markets, Inc. ("**Citi**") was appointed to act as senior managing underwriter on its own behalf and as representative of certain underwriters to be named in the Bond Purchase Agreement (collectively, the "**Underwriters**") with respect to the purchase and sale of the Bonds; and

WHEREAS, subsequent to the adoption of the Bond Resolution, the Authority was advised that Citi would cease all municipal underwriting operations on or about January 31, 2024 (and in advance of the expected date of issuance and sale of the Bonds); and

WHEREAS, as a result of the foregoing, Board, after consultation with the Authority's senior executive management and its professional advisors, has determined to remove Citi as senior managing underwriter for the Bonds and as one of the Underwriters for the Bonds as contemplated by the Bond Resolution; and

WHEREAS, J.P. Morgan Securities LLC ("**J.P. Morgan**") was included within the original solicitation for and was heretofore appointed as one of the Underwriters of the Bonds and possesses the expertise and capabilities necessary to serve as senior managing underwriter for the Bonds; and

WHEREAS, the Board is now desirous of appointing J.P. Morgan to serve as senior managing underwriter for the Bonds and to amend the Bond Resolution as set forth herein;

NOW, THEREFORE, THE COMMISSIONERS OF THE DELAWARE RIVER AND BAY AUTHORITY HEREBY RESOLVE, as follows:

- Section 1. *Appointment of J.P. Morgan as Senior Managing Underwriter.* J.P. Morgan is hereby appointed to serve as senior managing underwriter in connection with the issuance and sale of the Bonds.

Section 2. *Amendment to Bond Resolution.*

- (a) The Bond Resolution is hereby amended to include J.P. Morgan as senior managing underwriter for the issuance and sale of the Bonds in lieu of Citi.
- (b) Any and all references in the Bond Resolution to Citigroup Global Markets Inc. as senior managing underwriter and/or as one of the Underwriters under the Bond Resolution for the Bonds are hereby removed in their entirety.

Effective Date. Once adopted by the Authority, this Resolution shall take effect upon the expiration of the veto-period by the Governors of the State of Delaware and the State of New Jersey.

Resolution 23-67 was moved by Commissioner Decker, seconded by Commissioner Smith, and was approved by a roll call vote of 11-0.

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12236. COMMISSIONERS PUBLIC FORUM

Chairperson Lathem called for comments from Commissioners.

There were no additional comments.

Commissioner Lathem called for comments from the Public.

There were no comments from the public.

A motion to adjourn the Board meeting at 12:31 p.m. was made by Commissioner Decker, seconded by Commissioner Becker, and approved by a voice vote of 11-0.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Stephen D. Williams, A.A.E.
Assistant Secretary