

RESOLUTION 19-11 LEASE TERMINATION AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND PENTAGON PERFORMANCE, INC. AT THE MILLVILLE AIRPORT

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

WHEREAS, Pentagon Performance, Inc. (“Pentagon”) currently leases 13,567 square feet of office space located in Hangar A at the Millville Airport; and

WHEREAS, Pentagon leased the space when notified of a contract award and Pentagon would like to terminate their agreement due to ultimately not being awarded the contract; and

WHEREAS, the Authority and Pentagon agree that the lease shall expire effective April 1, 2019; and

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

Resolution 19-11 Executive Summary

Resolution: Authorizing the Execution of a Lease Termination Agreement between the Delaware River and Bay Authority and Pentagon Performance at the Millville Airport

Committee: Economic Development

Committee Date: March 19, 2019

Board Date: March 19, 2019

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

Background of Resolution: The Delaware River and Bay Authority operates a hangar facility located at the Millville Airport. Pentagon was an existing tenant at Millville when Pentagon was notified of a large contract award that required the growth in space. Pentagon leased the office space and a small portion of shop space in Hangar A for the purpose of expansion. Through no fault of their own, there were issues with the contract and ultimately the contract was not finalized. Pentagon has unsuccessfully attempted for several months to work through the contract issues and desires to terminate their lease agreement.