

**MINUTES OF MEETING  
THE DELAWARE RIVER AND BAY AUTHORITY  
James Julian Board Room  
Tuesday, November 19, 2024**

The Commissioners gathered at 10:05 a.m. the James Julian Board Room, with Chairperson Lathem presiding.

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.

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

The Executive Director established DRBA employees will not see an increase in health care premiums. The Executive Director thanked the Pension and Benefits Manager Betsy Dupon, HR Specialist Lacey Adams and HR Shared Services Supervisor Laura Hanna for their work in the recent Wellness Fairs and biometric screening offerings throughout the Authority. The value of these types of events is significant with its focus on our health and wellness, helping us keep our healthcare costs under control. We enjoyed a great turnout at the Bridge, Cape May and Lewes

Having failed to reach a quorum for the Board Meeting, the Personnel Executive Committee meeting was held prior to the commencement of the Board Meeting. At 10:25 a.m., the Personnel Executive Committee meeting commenced.

**\*Commissioner Carey joined the meeting via: TEAMS at 10:40 a.m.**

At 10:41 a.m., Commissioner Behnke called for a motion to close the Personnel Executive Committee meeting and move into public session. Commissioner McCann made a motion, seconded by Commissioner Behnke.

At 10:41 a.m., having reached a quorum, the Board Meeting was called to order. Chairperson Lathem called on the Assistant Secretary to take the roll.

Commissioners from Delaware

Samuel Lathem, Chairperson  
Crystal L. Carey – via: Teams  
Michael Ratchford  
Veronica O. Faust – via: Teams  
James Collins - Absent  
Vacant

Commissioners from New Jersey

M. Earl Ransome, Jr., Vice-Chairperson  
Shirley R. Wilson  
Sheila McCann  
Heather Baldini  
Debra Behnke  
James Mehaffey - Absent

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

Commissioner Ratchford made a motion to Accept the Agenda, and seconded by Commissioner McCann, the motion was carried by a voice vote of 9-0.

At 10:57 a.m. Chairperson Lathem called for a motion to conduct the remaining Committee Meetings. Commissioner Wilson made a motion, seconded by Commissioner McCann, and the motion was carried by a voice vote of 9-0. The Committee meetings began at 10:58 a.m. and concluded at 12:00 p.m. During that time, the following Committee meetings were held:

Budget and Finance  
Economic Development  
Projects

At the conclusion of the Committee meetings, Chairperson Lathem called the Board meeting back to order at 12:00 p.m.

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12363. APPROVAL OF THE OCTOBER MINUTES

Commissioner Ratchford made a motion to approve meeting minutes for October 15, 2024, seconded by Commissioner McCann, and approved by a voice vote of 9-0.

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12364. 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 October 2024. Without objection, the charts were ordered filed with the permanent records of the Authority.

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12365. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expense for October 2024 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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12366. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented charts for October 2024 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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12367. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented charts for October 2024 showing the capital budgets for crossings and economic development projects and dollars committed to date for the projects. The charts 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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12368. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) FOR OCTOBER 31, 2024.

The CFO presented charts showing the cash fund balances for the entire Authority for October 2024. Without objection, the charts were ordered filed with the permanent records of the Authority.

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12369. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Lathem noted that one (1) Contract Award, two (2) Project Close-outs, and six (8) Resolutions were being considered at today’s meeting.

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

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12370. AWARD OF CONTRACT #DMB-25-01 – SPOT REPAIR & OVERCOAT, WEST TRUSS SPANS, SECOND STRUCTURE

The Chief Operations Officer (COO) noted that a public bid opening was held on October 24, 2024. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder, Jag'd Construction, Inc. of Youngstown, Ohio in the amount of \$7,442,500.00.

A motion to award CONTRACT #DMB-25-01 to the aforementioned firm was made by Commissioner Ratchford, seconded by Commissioner Wilson, and approved by a voice vote of 9-0.

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12371. CLOSE-OUT CONTRACT #DMB-21-26 – ITS OFFICE RENOVATIONS

CONTRACT #DMB-21-26 – ITS OFFICE RENOVATIONS to BSS Contractors, LLC of West Grove, 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 \$322,625.28.

A motion to Close-Out Contract #DMB-21-26 was made by Commissioner Ratchford, seconded by Commissioner Wilson, and approved by a voice vote of 9-0.

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12372. CLOSE-OUT CONTRACT #ILG-21-03 – RUNWAY 14-32 APPROACH REGRADING

CONTRACT #ILG-21-03 - RUNWAY 14-32 APPROACH REGRADING to Diamond Materials, 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 \$244,954.00.

A motion to Close-Out Contract #ILG-23-03 was made by Commissioner Ratchford, seconded by Commissioner Wilson, and approved by a voice vote of 9-0.

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12373. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

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**RESOLUTION 24-52 – CHANGES THE DATE OF THE JANUARY AND FEBURARY 2025 BOARD OF COMMISSIONERS MEETINGS**

WHEREAS, pursuant to Section 5.1 of the Bylaws adopted by the Delaware River and Bay Authority (the “Authority”), the regular monthly meeting of the Commissioners shall be held to the third Tuesday of each month; and

WHEREAS, the January 2025 meeting is currently scheduled for Tuesday, January 21, 2025; and

WHEREAS, due to scheduling conflicts with Martin Luther King Day, the Commissioners desire to reschedule the meeting to the third Wednesday of January, January 22, 2025; and

WHEREAS, the February 2025 meeting is currently scheduled for Tuesday, February 18, 2025; and

WHEREAS, due to scheduling conflicts with Presidents’ Day, the Commissioners desire to reschedule the meeting to the third Wednesday of February, February 19, 2025

NOW, THEREFORE, BE IT RESOLVED, that the January monthly meeting of the Board of Commissioners of the DRBA shall be moved from January 21, 2025, to January 22, 2025.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the February monthly meeting of the Board of Commissioners of the DRBA shall be moved from February 18, 2025, to February 19, 2025.

Resolution 24-52 was moved by Commissioner Wilson, seconded by Commissioner Ratchford, and was approved by a roll call vote of 9-0.

#### **Resolution 24-52 - Executive Summary**

**Resolution:** Changes the Date of the January and February 2025 Board of Commissioners Meetings

**Committee:** N/A

**Committee/Board Date:** November 19, 2024

**Purpose of Resolution:** To change the date of the January and February regular monthly meetings of the Board of Commissioners from January 21, 2025 to January 22, 2025; from February 18, 2025 to February 19, 2025.

#### **Background for Resolution:**

Due to the Martin Luther King Holiday, there are scheduling conflicts with the regularly scheduled January meeting.

Due to the Presidents’ Day Holiday, there are scheduling conflicts with the regularly scheduled February meeting.

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**RESOLUTION 24-53 – ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY’S 2025 OPERATING BUDGET**

WHEREAS, Section 505 of the Trust Agreement, dated October 1, 1993, requires that The Delaware River and Bay Authority (the “Authority”) adopt a budget for each fiscal year; and

WHEREAS, the proposed operating expenses for FY2025, excluding the Airports division is \$87,851,551 and

WHEREAS, the budget includes funds for salaries and wages of Authority personnel, and materials and services for Authority activities; and

WHEREAS, for FY2025, principal and interest on outstanding bonds are \$36,642,900 in aggregate debt service; and

WHEREAS, the amount to be deposited to the credit of the Reserve Maintenance Fund with respect to Crossing Facilities shall be \$175,000.00 per month or \$2,100,000.00 for FY2025; and

WHEREAS, the projected revenue of the Authority for FY2025, excluding the Airports division is approximately \$195,668,000 resulting in a debt service coverage of 2.74x; and

WHEREAS, the proposed operating budget for the Airports division is \$11,797,586; and

WHEREAS, the proposed operating budget for FY2025 has incorporated principles of activity-based budgeting, which allocate certain costs to individual divisions rather than a central administrative budget: and

WHEREAS, the Budget and Finance Committee has developed, reviewed, and approved the proposed 2025 Operating Budget and recommends its adoption to the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby adopts an operating budget (see Exhibit A attached hereto and incorporated by reference) of \$87,851,551 for the Bridge, Ferry, Food Services, Forts Ferry, Police, and Administration Divisions, and a budget of \$11,797,586 for the Airports division for a total of \$99,649,137 for FY2025 and authorizes the Executive Director to exercise the approved management discretion and spend within the approved FY2025 budget.

BE IT FURTHER RESOLVED that the Executive Director is authorized to exercise management discretion to transfer funds within a division, as well as, between divisions for such identified costs associated with ED, DED, ITS, HR, Finance, Engineering, Education, Communications and Infrastructure Preservation expenses as long as such transfer does not exceed the total expenditures of the Authority. (See Exhibits A & B attached hereto and incorporated by reference).

**DELAWARE RIVER BAY AUTHORITY  
EXPENDITURE ANALYSIS  
BY DIVISION  
FOR THE PERIOD 2021-2025**

**EXHIBIT A**

	2021 Adopted	% +,-	2022 Adopted	% +,-	2023 Adopted	% +,-	2024 Adopted	% +,-	2025 Proposed	% +,-
1 Administration	\$ 16,484,772	(1.01)	\$ 17,300,679	4.95	\$ 17,495,681	1.13	\$ 18,270,978	4.43	\$ 19,182,553	4.99
2 Bridge	21,447,528	0.27	23,459,612	9.38	23,510,693	0.22	23,992,972	2.05	24,673,250	2.84
3 Ferry	25,251,810	(6.15)	26,466,111	4.81	26,982,641	1.95	27,757,500	2.87	27,956,452	0.72
4 Authority Police	11,673,313	0.91	11,759,982	0.74	11,609,892	(1.28)	12,028,914	3.61	12,552,392	4.35
5 Sub-Total	74,857,423	(2.17)	78,986,384	5.52	79,598,907	0.78	82,050,364	3.08	84,364,647	2.82
6 Food Services	3,981,350	(5.98)	3,455,321	(13.21)	3,508,048	1.53	3,337,844	(4.85)	3,337,308	(0.02)
7 Forts Ferry Crossing	126,519	(0.22)	128,130	1.27	137,543	7.35	152,523	10.89	149,596	(1.92)
8 Sub-Total	78,965,292	(2.37)	82,569,835	4.56	83,244,498	0.82	85,540,731	2.76	87,851,551	2.70
9 Airports Division	8,568,366	3.42	9,257,841	8.05	9,788,323	5.73	10,837,477	10.72	11,797,586	8.86
10 Economic Development	627,656	(12.11)	313,828	(50.00)	0	(100.00)	0	0	0	
11 Total DRBA Budget	\$ 88,161,314	(1.91)	\$ 92,141,504	4.51	\$ 93,032,821	0.97	\$ 96,378,208	3.60	\$ 99,649,137	3.39

**DELAWARE RIVER & BAY AUTHORITY  
ALLOCATION OF ADMINISTRATIVE EXPENSES  
BUDGET SUMMARY  
FOR THE YEAR 2025**

DEPARTMENT	ADMIN.	DMB	CMLF	POLICE	AIRPORTS	FOOD & RETAIL	FORTS FERRY	TOTAL
EXECUTIVE DIRECTOR	\$ 2,257,941	\$ 51,091	\$ 20,962	\$ 16,742	\$ 7,217	\$ 3,595	\$ -	\$ 2,357,548
DEPUTY EXECUTIVE DIRECTOR	1,093,580	-	413,566	-	845,769	-	-	2,352,915
HUMAN RESOURCES	2,176,123	-	258,642	21,000	-	-	-	2,455,765
EDUCATION & DEVELOPMENT	252,142	135,456	186,675	108,233	11,125	3,800	-	697,431
INFORMATION SERVICES	3,963,587	243,235	722,487	420,203	343,580	53,811	-	5,746,903
SAFETY	703,466	108,500	142,750	-	128,900	10,000	-	1,093,616
ELECTRONICS DEPARTMENT	1,192,325	268,100	314,895	75,000	181,000	9,000	-	2,040,320
FINANCE	2,259,356	3,050,660	1,983,221	438,096	788,709	118,702	26,054	8,664,798
ENGINEERING	842,610	1,517,188	375,678	-	134,024	-	15,000	2,884,500
TOTAL ADMINISTRATION:	\$ 14,741,130	\$ 5,374,230	\$ 4,418,876	\$ 1,079,274	\$ 2,440,324	\$ 198,908	\$ 41,054	\$ 28,293,796
FLEET VEHICLE LEASING	60,870	213,043	121,739	177,536	126,812	-	-	700,000
INFRASTRUCTURE PRESERVATION:	-	484,500	150,000	-	365,500	-	-	1,000,000
GRAND TOTAL:	\$ 14,802,000	\$ 6,071,773	\$ 4,690,615	\$ 1,256,810	\$ 2,932,636	\$ 198,908	\$ 41,054	\$ 29,993,796

Resolution 24-53 was moved by Commissioner Ratchford, seconded by Commissioner Baldini, and was approved by a roll call vote of 9-0

**Resolution 23-53 - Executive Summary Sheet**

**Resolution:** Resolution 24-53 – Adoption of the Delaware River and Bay Authority’s 2025 Operating Budget

**Committee:** Budget & Finance

**Committee Date:** November 19, 2024

**Board Date:** November 19, 2024

**Purpose of Resolution:**

Resolution 24-53 formally authorizes funds for the fiscal year’s current operating expenses.

**Background for Resolution:**

The Authority has issued outstanding debt under a Trust Agreement dated October 1, 1993. Section 505 of the Agreement stipulates that the Authority covenants to adopt a final budget for each ensuing fiscal year. The budget is to address Current Expenses, Amounts Deposited into the Reserve Maintenance Fund, Revenue Projections and Compliance with the Covenant as to tolls, in Section 501 (a) (i).

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**RESOLUTION 24-54 - ADOPTS A REVISED TOLL SCHEDULE FOR THE DELAWARE MEMORIAL BRIDGE**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) has evaluated scenarios, alternatives and projections related to the future of cashless tolling in the region, as well as the future revenues and toll requirements of the Authority for the period 2025 through 2029; and

WHEREAS, the national trend has been to migrate away from barrier tolling toward cashless open highways for environmental and congestion benefits; and

WHEREAS, various regional toll agencies have transitioned, or announced the future transition, to Cashless Tolling; and

WHEREAS, the Authority recognizes the need to prepare for the impact of such trends and transition plans at the Delaware Memorial Bridge (the “DMB”) toll plaza; and

WHEREAS, based upon the review of projected toll crossings and corresponding revenue receipts, the Authority has additionally identified that present toll schedules will be insufficient to generate revenues necessary to fund or finance ongoing maintenance, repair and replacement of the Authority's facilities and assets for the continued safe and efficient needs of the traveling public between the States of Delaware and New Jersey; and

WHEREAS, as a result of the foregoing, the Authority has developed a multi-phase tolling plan and rate schedule, which includes, as Phase I thereof, voluntary transition of bridge users to E-ZPass prior to an adjustment in cash toll rates on April 1, 2025 (such Phase I tolling rate schedule is referred to as the “Phase I Toll Rate Schedule” a copy of which is included herein); and



WHEREAS, Phase II of the multi-phase tolling plan and rate schedule establishes a maximum rate schedule for all toll classes for E-ZPass and Cash/Video tolls to commence on January 1, 2027 (such Phase II tolling rate schedule is referred to as the “Phase II Maximum Toll Rate Schedule” a copy of which is included herein), which Phase II Maximum Toll Rate Schedule may be modified and/or maintained to a rate(s) less than those identified therein as maximum toll rates via the annual adoption of a temporary rate schedule prior to the beginning of each fiscal year, based on the funding needs established by the Authority’s Board of Commissioners; and

WHEREAS, the Authority has concluded that the revised toll schedules as attached hereto are necessary to encourage cashless payments for tolling and to meet the financial needs of the Authority necessary to provide revenue to fund or finance future capital improvements; and

WHEREAS, the Authority has conducted three (3) public meetings to present and discuss the proposed multi-phase rate changes as described herein and, having evaluated comparable rates offered along the I-95 Northeast Corridor, has concluded that it is reasonable and appropriate to prepare for the transition to cashless open highways, to establish future maximum commercial, non-commercial and discount rates offered at the DMB and to provide for necessary revenues to fund and finance the Authority's maintenance, repair and replacement of its facilities and assets for the continued safe and efficient needs of the traveling public; and

NOW, THEREFORE, BE IT RESOLVED, that the Phase I Toll Rate Schedule attached set forth below, be approved and placed into operation effective April 1, 2025, with respect to DMB tolls; and

**DELAWARE RIVER AND BAY AUTHORITY  
DELAWARE MEMORIAL BRIDGE  
TOLL RATE SCHEDULE  
Phase I-April 1, 2025**

	<b>N0. OF AXLES</b>	<b>E-ZPass</b>	<b>CASH <sup>1</sup></b>
<b>PASSENGER CARS (DE-NJ E-ZPass).....</b> 2		\$4.75	N/A
Including:			
All Four Tire and less Types (excludes Oversize Tires):			
SUV, Vans, Pickups & Motorcycles			
<b>PASSENGER CARS (Other E-ZPass and Cash) 2</b>		\$5.00	\$6.00
Including:			
All Four Tire and less Types (excludes Oversize Tires):			
SUV, Vans, Pickups & Motorcycles			
<b>COMMUTATION DISCOUNT .....</b> 2		\$1.25	N/A
\$27.50 for 22 trips, valid for 30 days			

Issued only to Passenger Cars

<b>FREQUENT TRAVELER DISCOUNT</b> .....	2	\$2.25	N/A
\$45.00 for 20 trips, valid for 90 days			
Issued only to Passenger Cars			
<b>PASSENGER CAR WITH ONE AXLE TRAILER</b> .....	3	\$7.50	\$9.00
<b>PASSENGER CAR WITH TWO AXLE TRAILER</b> .....	4	\$10.00	\$12.00
<b>PASSENGER CAR WITH THREE AXLE TRAILER</b> .....	5	\$12.50	\$15.00
<b>TWO AXLE TRUCKS</b> .....	2	\$12.00	\$14.00
Including:			
All Six and Oversize Tire Types,			
Buses & Tractors			
<b>THREE AXLES TRUCKS OR COMBINATION</b> .....	3	\$21.00	\$24.00
Including:			
Tractors of Combination Tractor & Trailer			
Buses (All Three Axle Types)			
<b>FOUR AXLE TRUCKS OR COMBINATION</b> .....	4	\$28.00	\$32.00
Including:			
Tractor or Combination Tractor & Trailer			
<b>FIVE AXLE TRUCKS OR COMBINATION</b> .....	5	\$35.00	\$40.00
Any combination of axles amounting			
to five axles			
<b>SIX AXLE TRUCKS OR COMBINATION</b> .....	6	\$42.00	\$48.00
Any combination of axles amounting to			
six axles			
<b>SPECIAL PERMIT</b> .....	N/A	\$85.00	\$95.00
Any over width vehicle			
<b>SPECIALS</b> .....	per axle	\$7.00	\$8.00
Any combination of axles over			
six axles			

NOW, THEREFORE BE IT FURTHER RESOLVED, that Phase II Maximum Toll Rate Schedule set forth below, be approved and placed into effect on January 1, 2027, or such later date as may be approved by the Board of Commissioners prior to such date and in each subsequent fiscal year thereafter, which Phase II Maximum Toll Rate Schedule may be modified and/or maintained to a rate(s) less than those identified herein as maximum toll rates via the annual adoption of a temporary rate schedule prior to the beginning of each fiscal year, based on the funding needs established by the Board of Commissioners:

**DELAWARE RIVER AND BAY AUTHORITY  
DELAWARE MEMORIAL BRIDGE  
TOLL RATE SCHEDULE  
Phase II- January 1, 2027**

	<b>N0. OF AXLES</b>	<b>Maximum E-ZPass</b>	<b>Maximum CASH <sup>1</sup></b>
<b>TWO AXLE VEHICLES (DE-NJ E-ZPass) .....</b> 2		\$5.75	N/A
Including:			
All passenger vehicles, SUV, Vans			
Pickups, Motorcycles, Trucks & Utility Vehicles			
<b>TWO AXLE VEHICLES (Other E-ZPass and Cash) ...</b> 2		\$6.00	\$7.00
Including:			
All passenger vehicles, SUV, Vans			
Pickups, Motorcycles, Trucks & Utility Vehicles			
<b>COMMUTATION DISCOUNT <sup>2</sup>.....</b> 2		\$1.50	N/A
\$33.00 for 22 trips, valid for 30 days			
Issued only to passenger cars, SUV, Vans			
Pickups & Motorcycles			
<b>FREQUENT TRAVELER DISCOUNT <sup>2</sup>.....</b> 2		\$2.75	N/A
\$55.00 for 20 trips, valid for 90 days			
Issued only to passenger cars, SUV, Vans			
Pickups & Motorcycles			
<b>THREE AXLES COMBINATION.....</b> 3		\$27.00	\$30.00
Any combination of axles amounting to three axles			
<b>FOUR AXLE COMBINATION.....</b> 4		\$36.00	\$40.00
Any combination of axles amounting			

to four axles

<b>FIVE AXLE COMBINATION</b> ..... 5	\$45.00	\$50.00
Any combination of axles amounting to five axles		
<b>SIX AXLE COMBINATION</b> ..... 6	\$54.00	\$60.00
Any combination of axles amounting to six axles		
<b>SPECIAL PERMIT</b> ..... N/A	\$95.00	\$105.00
Any over width vehicle		
<b>SPECIALS</b> ..... per axle	\$9.00	\$10.00
Any combination of axles over six axles		

**Notes:**

<sup>1</sup> All Video tolls are charged at the cash rate.

<sup>2</sup>Actual rate not subject to temporary modification.

Resolution 24-54 was moved by Commissioner Wilson, seconded by Commissioner Ratchford, and was approved by a roll call vote of 9-0.

**Resolution 24-54 - Executive Summary Sheet**

Resolution: Resolution 24-54 Adopts Phase I and Phase II revised toll schedule for the Delaware Memorial Bridge

**Committee Date:** Budget & Finance

**Committee Date:** November 19, 2024

**Board Date:** November 19, 2024

**Purpose of Resolution:**

Establishes multi-phased tolling rates at the DMB in anticipation of transition to cashless tolling and for generating sufficient revenues, debt service coverages and cash to finance capital improvements from 2025-2029.

**Background for Resolution:**

The Authority in consideration of its public purposes, including but not limited to, preparing for the transition to alternative tolling methods and practices and the need to finance the ongoing maintenance, repair and replacement of its facilities and assets for the continued safe and efficient needs of the traveling public, evaluated rates charged by other

similar facilities on the I-95 travel corridor, considered the feedback offered during public hearings and comment, contemplated scenarios, alternatives and forecasted in establishing rates determined to be reasonable and in the best interest of the traveling public and the regions served by the Authority.

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**RESOLUTION NO. 24- 55 - AUTHORIZING A SUBLEASE OF THE LEASE BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND OMG ON THE ROCKS, LLC D/B/A GRAIN CRAFT BAR + KITCHEN ON THE ROCKS, AT THE LEWES 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 Lewes, Delaware (the “Lewes Terminal Building”); and

WHEREAS, OMG On the Rocks, LLC D/B/A Grain Craft Bar + Kitchen On the Rocks, a wholly owned subsidiary of OMG Dining, LLC (“Grain”) has entered into a Lease Agreement with an initial term of ten years for rentable space in the Lewes Terminal Building and rentable square continuous patio space (the “Leased Premises”), plus periodic exclusive access to the continuous green; and

WHEREAS, on May 21, 2024, the Board passed Resolution 24-18 authorizing the execution of a Lease Amendment between the Delaware River and Bay Authority and Grain at the Lewes Ferry Terminal; and

WHEREAS, the amendment contemplated by Resolution 24-18 was never executed;

WHEREAS, Grain now desires to sublease the entirety of the Leased Premises to On The Rocks LLC (“Highwater”); and

WHEREAS, the Authority now desires to revoke Resolution 24-18 and authorize and consent to the sublease of the entirety of the Leased Premises under the Lease Agreement between Grain and Highwater.

NOW THEREFORE BE IT RESOLVED that Resolution 24-18 is hereby revoked and of no further force and effect; and

FURTHER RESOLVED that the Executive Director is hereby authorized, with the advice and consent of counsel, to finalize the terms and conditions of the Commercial Sublease that Grain and Highwater desire to enter into and to have the Commercial Sublease executed by the Chairperson, the Vice Chairperson and the Executive Director.

Resolution 24-55 was moved by Commissioner Ratchford, seconded by Commissioner Wilson, and was approved by a roll call vote of 9-0

**Resolution 24-55 - Executive Summary Sheet**

**Resolution:** Authorizing a sublease of the Lease between the Delaware River and Bay Authority and OMG ON THE ROCKS, LLC D/B/A Grain Craft Bar + Kitchen On the Rocks, at the Lewes Ferry Terminal

**Committee:** Budget and Finance

**Committee/Commission Date:** November 19, 2024

**Purpose of Resolution:**

The Authority desires to revoke Resolution 24-18 and consent to a sublease of the entirety of the Leased Premises between Grain and Highwater so that Highwater may operate food and retail establishments in the Lewes Terminal Building of the Cape May Lewes Ferry.

**Background for Resolution:**

Effective June 1, 2020, Grain entered into a Lease Agreement with the Authority for the restaurant at the Lewes Ferry Terminal.

The original terms of the Lease Agreement were modified via Resolution 23-09, dated February 22, 2023.

Grain and the Authority contemplated a second amendment, which was authorized by Resolution 24-18, but this second amendment was never executed and has been abandoned.

Grain now desires to sublet the entirety of the Leased Premises to Highwater, such sublease being conditioned upon Highwater’s ability to obtain a liquor license for the Leased Premises comparable to the liquor license currently held by Grain.

No amendments to the Lease Agreement are being contemplated in connection with this sublease

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**RESOLUTION 24-56 - AUTHORIZES THE EXECUTION OF A CONCESSION AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND AVIS BUDGET CAR RENTAL, LLC 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 the Authority allows private corporations to provide car rental services at the Wilmington Airport for their customers; and

WHEREAS, the Authority’s Concession Agreement with Avis Car Rental Inc., also known as Avis Budget Car Rental, LLC (Avis) is expiring; and

WHEREAS Avis will be leasing a counter in the terminal and 35 parking spaces in the terminal parking lot; and

WHEREAS the terms of the Concession Agreement will be for five (5) years with an option of renewing for two (2) additional 1-year periods for a guaranteed minimum annual payment of \$50,000 or 10% of the monthly gross receipts whichever is higher; and

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

Resolution 24-56 was moved by Commissioner Ratchford, seconded by Commissioner McCann, and was approved by a roll call vote of 9-0.

**Resolution 24-56 - Executive Summary**

**Resolution:** Authorizing the Execution of a Concession Agreement between the Delaware River and Bay Authority and Avis Budget Car Rental, LLC. at the Wilmington Airport.

**Committee:** Economic Development

**Committee Date:** November 19, 2024

**Board Date:** November 19, 2024

**Purpose of Resolution:** To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Concession Agreement for operations at the Wilmington Airport.

**Background for Resolution:** The Delaware River and Bay Authority currently leases space to Avis Budget Car Rental, LLC. at the Wilmington Airport. Avis has been a tenant at the airport since before the Authority took over operations there. Avis’ concession agreement is ending, and they would like to continue to provide services from the airport. The terms and conditions of the new agreement are generally the same as the existing agreement with an increase in the Gross Receipts payment back to the original 10% from the current rate of 8%.

\* \* \* \* \*

**RESOLUTION 24-57 – AUTHORIZING THE EXECUTION OF A CONCESSION AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND ENTERPRISE LEASING COMPANY OF PHILADELPHIA, LLC. D/B/A ALAMO RENT A CAR, ENTERPRISE RENT-A-CAR AND NATIONAL CAR RENTAL 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, the Authority allows private corporations to provide car rental services at the Wilmington Airport for their customers; and

WHEREAS, Enterprise Leasing Company of Philadelphia, LLC. d/b/a Alamo Rent a Car, Enterprise Rent-A-Car and National Car Rental desire to begin providing pick-up and drop-off services at the Wilmington Airport; and

WHEREAS, the terms of the Concession Agreement will be for Fourteen (14) months with an option of renewing for three (3) additional 1 year periods for 10% of the monthly gross receipts; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Enterprise Leasing Company of Philadelphia, LLC. d/b/a Alamo Rent A Car, Enterprise Rent-A-Car and National Car Rental with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

Resolution 24-57 was moved by Commissioner Ratchford, seconded by Commissioner Wilson, and was approved by a roll call vote of 9-0.

#### **Resolution 24-57 - Executive Summary**

**Resolution:** Authorizing the Execution of a Concession Agreement between the Delaware River and Bay Authority and Enterprise Leasing Company of Philadelphia, LLC. d/b/a Alamo Rent A Car, Enterprise Rent-A-Car and National Car Rental at the Wilmington Airport.

**Committee:** Economic Development

**Committee Date:** November 19, 2024

**Board Date:** November 19, 2024

**Purpose of Resolution:** To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Concession Agreement for operations at the Wilmington Airport.

**Background for Resolution:** The Delaware River and Bay Authority operates the Wilmington Airport. Enterprise currently operates a leasing facility within 1 mile of the airport. They have a demand for pick-up and drop-off service for rental cars at the airport, but the demand currently does not necessitate the need for an on-airfield operation. This will be a pickup and drop-off service for rentals



already booked. The airport will receive 10% of the gross receipts for all activities linked to the airport.

\* \* \* \* \*

**RESOLUTION 24-58 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND QUAKER CITY 607, LLC AT THE WILMINGTON AIRPORT**

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

WHEREAS, Quaker City 607, LLC (“Quaker City”) is a current tenant at the Airport, and they have a need for additional hangar space; and

WHEREAS, Quaker City desires to lease a hangar commonly referred to as Unit 5 located at 11 Penns Way; and

WHEREAS, the Quaker City Lease Agreement shall have an initial term of one (1) year; and

WHEREAS, Quaker City shall have the right to renew this agreement for one (1) additional renewal term; and

WHEREAS, Quaker City has agreed to pay rent during the initial term of Thirty-Three Thousand Dollars (\$33,000.00) annually; and

WHEREAS, Quaker City has agreed to pay rent during the renewal term of Thirty-Nine Thousand Dollars (\$39,000); and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Amendment with Quaker City 607, LLC, and, with the advice and consent of counsel, to have such Amendment executed by the Chairperson, Vice Chairperson and the Executive Director.

Resolution 24-58 was moved by Commissioner Wilson, seconded by Commissioner Ratchford, and was approved by a roll call vote of 9-0.

**Resolution 24-58 - Executive Summary**

Resolution Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Quaker City 607, LLC, regarding Wilmington Airport.

Committee: Economic Development

Committee Date: November 19, 2024

Board Date: November 19, 2024

Purpose of Resolution:

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

Background for Resolution:

The Delaware River and Bay Authority operates the Wilmington Airport. Quaker City is an existing tenant at the airport, and they currently occupy this unit under a short-term lease agreement. Until Quaker City leased the space the unit had been vacant for over 15 years. The business has continued to grow, and they would like to renew for 2 additional 1-year terms.

\* \* \* \* \*

**RESOLUTION 24-59 – AUTHORIZING AN AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND RS&H, INC., TO PROVIDE ON-CALL PLANNING CONSULTANT SERVICES FOR AUTHORITY AIRPORTS**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a bi-state Authority of the State of Delaware and the State of New Jersey, created by compact, that operates and maintains the Delaware Memorial Bridge, Cape May-Lewes Ferry, Forts Ferry Operation, five regional airports, and the adjoining facilities and infrastructure at each of the aforementioned sites; and

WHEREAS, the Authority seeks to engage a consultant to provide “on-call” services including, but not limited to, professional airport planning, terminal planning, transportation planning, financial planning, airline/cargo planning, property planning services, environmental assessments, environmental impact statements, airfield and airspace analyses, and architectural concepts, at Wilmington Airport (ILG), Delaware Airpark (33N), Cape May Airport (WWD), Millville Airport (MIV), and Dover Civil Air Terminal (hereinafter, “Airport Planning Services”); and

WHEREAS, the Authority publicly advertised a Request for Qualifications (“RFQ”) for Airport Planning Consultant Services in compliance with DRBA Resolution 24-17, as amended, which governs the Authority’s procedures for the procurement of professional services; and

WHEREAS, the Authority received three (3) responses to the RFQ and performed a thorough evaluation of each respondent’s qualifications; and

WHEREAS, following preliminary evaluation of each submission, the Authority short-listed two (2) respondents for further consideration; and

WHEREAS, following oral interviews and final evaluation, the Authority selected RS&H, Inc. (“RS&H”), and conducted an analysis of the firm’s proposed maximum fees to provide Airport Planning Services, which are determined to be fair and reasonable; and

WHEREAS, with the consent of the Chairman and Vice-Chairman of the Board of Commissioners, the Authority desires to enter into a Master Service Agreement with RS&H for Airport Planning Services; and

WHEREAS, the Master Service Agreement has a base term of four (4) years, with the Authority having the option to extend for one (1) additional year following the expiration of said base term, such option term subject to prior authorization by the Projects Committee and the Chairman and Vice-Chairman of the Board of Commissioners; and

WHEREAS, the Projects Committee has reviewed this recommendation and concurs; and

THEREFORE BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of a Master Services Agreement with RS&H to provide Airport Planning Services to the Authority, and, with the advice and consent of Counsel, to have such Master Service Agreement executed by the Chairman, Vice-Chairman and Executive Director.

Resolution 24-59 was moved by Commissioner Ratchford, seconded by Commissioner Wilson, and was approved by a roll call vote of 9-0

### **Resolution 24-59 - Executive Summary Sheet**

**Resolution:** Authorizes an agreement between the Authority and RS&H to provide “on-call” Airport Planning Consultant Services related to the Authority’s Airports.

**Committee:** Projects Committee

**Committee/  
Board Date:** November 19, 2024

**Purpose of Resolution:**  
The Authority requires the assistance of a qualified consultant to provide “on-call” airport planning consulting services, including, but not limited to, professional airport planning, terminal planning, transportation planning, financial planning, airline/cargo planning, property planning services, environmental assessments, environmental impact statements, airfield and airspace analyses, and architectural concepts, at Wilmington Airport (ILG), Delaware Airpark (33N), Cape May Airport (WWD), Millville Airport (MIV), and Dover Civil Air Terminal.

**Background for Resolution:**  
The procedures leading to this Resolution followed the requirements of Resolution 24-17, as amended, which governs the Authority’s purchasing thresholds and policies.

The Authority received and evaluated the qualifications submitted by the following firms:

DY Consultants  
McFarland-Johnson, Inc.  
RS&H, Inc.

A DRBA Consultant Selection Committee performed a preliminary evaluation of each submission, short-listed two respondents for oral interviews and performed a final evaluation of the interviewees. RS&H was ranked highest and the DRBA conducted an analysis of their proposed maximum fees and determined them to be fair and reasonable.

\* \* \* \* \*

12374.            EXECUTIVE DIRECTOR’S COMMENTS

The Executive Director showed a picture the DRBA police officers participated in Trunk or Treat Rte. 9. The next slide showed DRBA employees attending the 2024 Freedom Fund Banquet. The Women of Achievement recognized Commissioner Behnke for her exceptional community service. Salem County Veterans Dinner honored Salem Community College president Michael Gorman for his support of veterans. Deputy Director Ceil Smith was recognized for her longtime leadership. The Executive Director thanked DRBA employees for their hard work getting the Veterans Memorial Park ready for the event. Name plates will display nearly 20,000 names on new metal plaques as well as installation of new flagpoles.

Upcoming DRBA Events:

- Tuesday, December 17, 2024 – Board of Commissioners Meeting 10:00 a.m.
- Tuesday, December 17, 2024 - Dedication of the James N. Hogan Police Command Center – following the Board of Commissioners Meeting.

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12375.            COMMISSIONERS PUBLIC FORUM

Commissioner Lathem called for comments from the Commissioners.

Chairman Lathem thanked employees for getting the Veterans Memorial Park ready for Veterans Day Ceremony. The Veterans Memorial Park exemplifies our appreciation for those who have served our country. Thank you to all Veterans for their service and sacrifice.

With no additional forthcoming comments, a motion to adjourn the Board meeting at 12:16 p.m. was made by Commissioner Ratchford, seconded by Commissioner McCann, and approved by a voice vote of 9-0.

Respectfully submitted,

**THE DELAWARE RIVER AND BAY AUTHORITY**

James Salmon  
Assistant Secretary