

**MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
James Julian Board Room
Tuesday, December 17, 2024**

Prior to the start of the meeting Chairperson Lathem administered the Oath of Office to Michael Houghton as Commissioner of the Delaware River and Bay Authority.

The meeting convened at 10:00 a.m. at 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.

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

Commissioners from Delaware

Samuel Lathem, Chairperson
Crystal L. Carey
Michael Ratchford
Veronica O. Faust - Absent
James Collins - via Microsoft TEAMS
Michael Houghton

Commissioners from New Jersey

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

*Commissioner Mehaffey left the meeting at 11:00 a.m.

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

DRBA Chief Information Office Geraldine DiNicola-Owens recognized the Delaware Memorial Bridge Toll Violation Recovery Team, which includes employees in the Tolls, Police and E-ZPass Departments who work together to collect the revenues owed to the Authority for toll evasion on the Delaware Memorial Bridge. The team members include Pat Mathis, E-ZPass Customer Service Representative (CSR); Leah Demarest, Toll Operations Administrative Assistant; Jack McDonald, Casual E-ZPass CSR; Deb Lemieux, Manager of E-ZPass Operations; Bob Inman, Toll Superintendent; Cierra Beck, Senior E-ZPass CSR; Master Corporal Denise Wasson and Senior Corporal Ken Fink of the DRBA Police Department.

In 2024 alone, rejected violation images were re-reviewed by the E-ZPass team, resulting in posting \$25,000 to active E-ZPass accounts and noticing \$91,000 for violation tolls and fees. Additionally, the

Police have made contact with fifty (50) egregious violators and impounded six (6) vehicles. The E-ZPass Manager has established 22 repayment plans and collected over \$120,000 in revenue. Even though this represents a 54% increase over the toll evasion revenue collected in 2023, this team recently met to discuss improvements in 2025 to increase this collection initiative. The Commissioners congratulated the team members on their successful team effort.

Chairperson Ratchford made a motion to accept the revised 2024 Committee Assignments, seconded by Vice-Chair Ransome, and the motion was carried by a voice vote of 11-0.

Chairperson Lathem called for a motion to move to the Executive Session. Commissioner Carey made a motion, seconded by Commissioner McCann, 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 10:13 a.m. At 10:57 a.m. Chairperson Lathem called for a motion to close the Executive Session, and recess to conduct Committee Meetings. Commissioner Ratchford made a motion, seconded by Commissioner McCann, and the motion was carried by a voice vote of 11-0.

Chairperson Lathem called for the acceptance of the Agenda.

Commissioner Ratchford made a motion to accept the agenda, seconded by Commissioner McCann, and the motion was carried by a voice vote of 11-0.

The Committee meetings began at 10:58 a.m. and ended at 11:42 a.m. During that time, the following Committee meetings were held:

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

At the conclusion of the Committee meetings, Chairperson Lathem called the Board meeting back to order at 11:42 a.m.

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12376. APPROVAL OF THE NOVEMBER MINUTES

Commissioner Ratchford made a motion to approve meeting minutes for November 19, 2024, seconded by Commissioner Wilson, and approved by a voice vote of 10-0.

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12377. 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 2024. Without objection, the charts were ordered filed with the permanent records of the Authority.

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12378. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expense for November 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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12379. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented charts for November 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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12380. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented charts for November 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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12381. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) FOR NOVEMBER 30, 2024.

The CFO presented charts showing the cash fund balances for the entire Authority for November 2024.

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

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12382. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Lathem noted that two (2) Contract Awards, two (2) Contract Close-Outs, and six (6) 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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12383. AWARD OF CONTRACT #DMB-22-07- FALL PROTECTION FENCE & WIND MITIGATION, FIRST AND SECOND STRUCTURES

The Chief Operations Officer (COO) noted that a public bid opening was held on November 20, 2024. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder, J.D. Eckman, Inc. of Atglen, Pennsylvania in the amount of \$19,237,725.31.

A motion to award CONTRACT #DMB-22-07 to the aforementioned firm was made by Commissioner Ratchford, seconded by Commissioner Houghton, and approved by a voice vote of 10-0.

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12384. AWARD OF CONTRACT #MIV-24-50R – WESTERN STAR DUMP TRUCK WITH HYDRAULIC SYSTEM V-BOX SPREADER AND PLOW

The Chief Operations Officer (COO) noted that a public bid opening was held on November 20, 2024. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder, Robert H. Hoover & Sons, Inc. of Flanders, New Jersey in the amount of \$301,367.00.

A motion to award CONTRACT #MIV-24-50R to the aforementioned firm was made by Commissioner Ratchford, seconded by Commissioner Houghton, and approved by a voice vote of 10-0.

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12385. CLOSE-OUT CONTRACT #DMB-23-17 – BUILDING MAINTENANCE GARAGE HVAC IMPROVMENTS

CONTRACT #DMB-23-17 – BUILDING MAINTENANCE GARAGE HVAC IMPROVEMENTS TO Gaudelli Bros., Inc. in Millville, 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 \$179,418.00.

A motion to Close-Out Contract #DMB-23-17 was made by Commissioner Houghton, seconded by Commissioner Ratchford, and approved by a voice vote of 10-0.

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12386. CLOSE-OUT CONTRACT #DMB-24-01A – SPOT REPAIR & OVERCOAT EAST TRUSS SPANS SECOND STRUCTURE

CONTRACT #DMB-24-01A – SPOT REPAIR & COVERCOAT EAST TRUSS SPANS SECOND STRUCTURE.

It is recommended that the Authority accept this project and make the final payment to the contractor. The final cost of this project is \$8,427,300.00.

A motion to Close-Out Contract #DMB-24-01A was made by Commissioner Wilson, seconded by Commissioner Houghton, and approved by a voice vote of 10-0.

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12387. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

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RESOLUTION 24-60 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 24-17 FOR THE PERIOD, JANUARY 1, 2025, THROUGH DECEMBER 31, 2025

WHEREAS, The Delaware River and Bay Authority (the “Authority”) adopted Resolution 24-17 requiring Commissioner review and approval of any professional service contract, non-professional service contract, materiel contract, or supply contract valued at \$50,000 or above and any construction management or construction contract valued at \$200,000 or above; and

WHEREAS, the Authority anticipates expenditures at or above the aforementioned thresholds to the following vendors:

DELAWARE RIVER & BAY AUTHORITY
VENDORS PROJECTED BE AWARDED
A MATERIEL, SUPPLY, PROFESSIONAL SERVICE, OR NON-PROFESSIONAL SERVICE CONTRACT
VALUED \$50,000 OR ABOVE
OR
A CONSTRUCTION MANAGEMENT/CONSTRUCTION CONTRACT
VALUED \$200,000 OR ABOVE
DURING THE PERIOD 1/1/25 THROUGH 12/31/25

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Activu Corporation	Emergency Response Hardware and Software	Proprietary	\$57,000
Adelte Ports and Maritime SLU	Passenger Loader Tubes Maintenance Program at CMLF	Proprietary	\$63,000
Advance Aviation	Outbound Digital Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$200,000
Advantech, Inc.	Replacement Video Management System	State Contract	\$300,000
Alamo Group, Inc.	Boom Mower Tractor	State Contract	\$250,000
Alimak Group USA, Inc.	Delaware Memorial Bridge Elevator Maintenance	Sole Source	\$144,000
American Bureau of Shipping d/b/a ABS Americas	Vessel Inspections and Certifications	Sole Source	\$60,000
Assurance Media, LLC	Service and Equipment Installation for CCTV & Conference Room Upgrades	State Contract	\$200,000
Audacy, Inc.	Radio Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$50,000
AVAYA, Communications, Inc., c/o Ring Central	Authority-wide Phone System Service and Support	State Contract	\$200,000
Canon Business Solutions, Inc.	Authority-Wide Copier Leases	State Contract	\$89,000
Carus AB LTD.	Maintenance, Support and Hosting for CMLF Fare Collection and Reservation System	Proprietary	\$300,000
Cato, Inc.	Unleaded Gasoline and Diesel for DMB Vehicles & Equipment	State Contract	\$240,000
Chammings Electric, Inc.	Annual Maintenance and Monitoring of the DMB Dehumidification System	Sole Source	\$73,000

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Clear Channel Outdoor Holdings, Inc d/b/a Clear Channel Outdoor LLC	Billboard Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$75,000
CNI Sales, Inc.	Wireless Networking Equipment	State Contract	\$73,000
Delaware Business Systems, Inc. d/b/a DBS	Annual Maintenance and Equipment for Point-of-Sale System at CMLF Terminals	Proprietary	\$65,000
DVL Group, Inc.	Uninterruptible Power Systems (UPS) Services and Replacements	Proprietary	\$100,000
eMaint	Annual Licenses, Maintenance and Support for CMMS System	Proprietary	\$68,000
Engine Systems, Inc. d/b/a Marine Systems Inc. (MSI)	M/V Delaware Main Engine Service	Proprietary	\$105,000
Enterprise Leasing Company of Philadelphia LLC d/b/a Enterprise Rent-A-Car	Lease of Fleet Vehicles	State Contract	\$500,000
Fedway Associates, Inc.	Wine and Spirits for CMLF	Sole Source	\$65,000
Forever Media of DE, LLC d/b/a WDEL- AM/FM, WSTW - FM	Radio Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$50,000
GovConnection, Inc.	Microsoft Enterprise and other Software Licensing	Proprietary	\$800,000
Griffith Energy Services d/b/a Carl King	Gasoline and Diesel Fuel for Delaware Airpark, Wilmington Airport and Lewes Ferry Terminal	State Contract	\$130,000
HCGI Hartford, Inc. d/b/a HCGI	Desktop and Laptop Computers at Various DRBA Locations	State Contract	\$150,000
iHeartMedia Entertainment Inc. d/b/a iHeartMedia	Radio Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$50,000
Info Solutions North America d/b/a Info Solutions LLC	Data Communications, Products and Services	State Contract	\$980,000
Intersection/PATCO	Transit Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$50,000
Johnson Controls, Inc.	HVAC System Installation, Maintenance and Parts for Building Automation System Authority-Wide	Sole Source	\$52,000
Kapsch TrafficCom IVHS, Inc.	Annual Service, Support and Traffic Automation System for Traffic Management System	Proprietary	\$150,000

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Lawmen Supply Company, a Municipal Emergency Services, Inc., Company	Uniforms, Apparel, Body Armor, Leather Gear, and Supplies	State Contract	\$82,000
Leonardo US Cyber and Security Solutions, LLC	Maintenance of Automatic License Plate Reader Systems on Delaware Memorial Bridge and CMLF	Committee Waiver	\$50,000
Liberty Coca-Cola Beverages, LLC	Fountain and Bottled Soda and Beverages for CMLF	Sole Source	\$115,000
Marine Safety Corporation	Vessel Life Raft Inspections	Proprietary	\$425,000
Microsoft Corporation	Cloud Storage and DNS Services	Proprietary	\$85,000
Miles Partnership, LLLP	CMLF Website Maintenance and Upgrades	Proprietary	\$50,000
Motorola Solutions, Inc.	Radio Maintenance and Equipment	State Contract	\$450,000
Motorola Solutions, Inc.	Police In-Car Video Management System	Proprietary	\$250,000
Newark Kubota Inc. d/b/a Burke Equipment Co.	Replacement Mowers	State Contract	\$300,000
Oracle America, Inc.	Annual Maintenance and Support for Oracle Databases	Proprietary	\$54,000
Outfront Media, Inc.	Billboard Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$64,000
Pedroni Fuel Co.	Unleaded Gasoline for CMLF Vehicles and Equipment	State Contract	\$52,000
PetroChoice	Vessel Lube Oil	Sole Source	\$130,000
Poppulo, Inc.	Mobile Applications	Committee Waiver	\$56,000
Runway Safe, Inc.	ILG EMAS Runway Safety System Inspection and Maintenance	Sole Source	\$56,000
Siemens Industry, Inc.	Fire Detection System Installation and Support	Proprietary	\$175,000
South Jersey Paper Products d/b/a Supplytall	Food Service Items, Disposable, Paper and Plastic at CMLF	State Contract	\$125,000
Spruce Technology, Inc.	Website Redevelopment for Cape May-Lewes Ferry	Proprietary	\$100,000

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Talarico Building Services, Inc. d/b/a ServiceMaster TBS	Janitorial Services at ILG Terminal	Committee Waiver	\$232,000
Talarico Building Services, Inc. d/b/a ServiceMaster TBS	Janitorial Services at MIV & WWD & 33N	Committee Waiver	\$50,000
The Revenue Markets, Inc. d/b/a TRMI Systems Integration	Toll Lane Treadles	Proprietary	\$50,000
Townsquare Media	Radio Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$50,000
Tyler Technologies Inc.	Maintenance and Support for Finance and Human Resources ERP Systems and Police CAD System	Proprietary	\$265,000
UKG Kronos Systems, LLC	Software Licensing and Maintenance for Time and Attendance System	Proprietary	\$140,000
UniFirst Corporation	New and Replacement Employee Uniforms	Cooperative Contract	\$50,000
Verizon Connect NWF, Inc.	Authority-Wide Wireless Fleet Management Services	State Contract	\$60,000
Waste Management	Refuse Removal Services	State Contract	\$180,000
Wayman Fire Protection, Inc.	Fire Alarm Monitoring, Inspection and System Installations	Proprietary	\$150,000

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

Resolution 24-60 was moved by Commissioner Wilson, seconded by Commissioner Houghton, and was approved by 9 votes in affirmative, 0 votes in the negative and 1 partial abstention. Commissioner Carey approved Resolution 24-60 noting that she abstained as it pertains to Info Solutions North America d/b/a Info Solutions LLC.

Resolution 24-60 - Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 24-17 for the period January 1, 2025, through December 31, 2025.

Committee: Budget & Finance

Committee and Board Date: December 17, 2024

Purpose of Resolution:

To receive Commissioner approval of the identified vendors and expenditures for those specific professional service contracts, non-professional service contracts, materiel, and supply contracts valued at \$50,000 or above, and for those specific construction

management or construction contracts valued at \$200,000 or above, that otherwise would require a public competitive process per Resolution 24-17.

Background for Resolution:

The proposed Resolution meets the requirements of Resolution 24-17, 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, or a construction management or construction contract in the amount of \$200,000 or more, unless it has first been approved by a vote of Commissioners.

Purchase Detail:

Activu Corporation: Emergency Response Hardware and Software

In 2024, the Authority updated existing visualization software at the DMB and Cape May Dispatch Centers. Activu has provided the equipment and consoles and will now be required to provide software support to maintain interoperability between both dispatch centers. The expenditure amount represents the total estimate of the service contract.

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.

Advance Aviation: Outbound Digital Advertising Associated with Commercial Air Service at ILG

The Authority plans to continue contract services with Advance Aviation to provide digital advertising for outbound flight destinations related to the Air Service Incentive Agreement and the airport marketing associated with commercial air service at ILG.

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 (*DSU23PC22007-NEWECIC Security and Surveillance*).

Alamo Group, Inc.: Boom Mower Tractor

The Authority plans to purchase one (1) boom mower tractor programmed into the 2025 Capital Equipment Replacement Plan for the Delaware Memorial Bridge Complex. The equipment will be purchased pursuant to the competitively bid cooperative state contract (*DOT2004-TRACTOR_MOWER*).

Alimak Group USA Inc.: Delaware Memorial Bridge Elevator Maintenance

The Authority utilizes a service provider for elevator maintenance and inspection on the Delaware Memorial Bridge. Alimak is the sole source manufacturer and supplier of the existing elevator. 2025 represents the second year of a three-year service contract with this vendor.

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 with US Coast Guard regulations.

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 Authority also plans 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 purchased at prices matching Assurance Media's state contract to provide Building Access and Video Surveillance Systems, (*GSS21745-AV_EQPTCONF*).

Audacy, Inc.: Radio Advertising Associated with Commercial Air Service at ILG

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

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 (*DSU23PC22007-NEWECIC Security and Surveillance*).

Canon Business Solution, Inc.: Authority-wide Copier Leases

Canon Business Solutions, Inc. is party to a state contract (*GSS24091-COPIER_PRI*) to provide copier leases. This expenditure will cover the cost of all copier leases and supplies Authority-wide.

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.

Cato, Inc.: Unleaded Gasoline and Diesel for DMB Vehicles & Equipment

The Authority stores and dispenses unleaded gasoline and diesel at the DMB Administrative Complex for use in Authority-owned vehicles and equipment. The price per-gallon for gasoline and diesel is competitively awarded by the State according to the county and the capacity of the tank which the purchased gasoline will be stored. Cato is currently a party to the lowest-priced state (*GSS21002-GASOLINE*) and (*GSS21550-ULSD*).

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

Over the previous 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. 2025 will represent the fourth 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 contract 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.

CNI Sales, Inc: Wireless Networking Equipment

The Authority utilizes CNI for support of all wireless networking equipment Authority-wide. In addition, the Authority also plans to purchase forty (40) wireless IP cameras at the state contract price (*GSS20579-DATACOMM*).

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.

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.

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*).

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.

Forever Media of DE, LLC d/b/a WDEL – AM/FM, WSTW – FM: Radio Advertising Associated with Commercial Air Service at ILG

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

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 for Delaware Airpark, Wilmington Airport and Lewes Ferry Terminal

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 (*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 (*DTI240024-COMPUTER*) to resell HP hardware and offers those contract prices to the Authority.

iHeart Media Entertainment, Inc. d/b/a iHeartMedia: Radio Advertising Associated with Commercial Air Service at ILG

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

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*).

Intersection/PATCO: Transit Advertising Associated with Commercial Air Service at ILG

The Authority plans to continue to contract with Intersection to provide transit advertising related to the Air Service Incentive Agreement and the airport marketing associated with commercial air service at ILG.

Johnson Controls, Inc.: HVAC System Installation, Maintenance and Parts for Building Automation System Authority-wide

Johnson Controls is authorized to provide parts and service to our Metasys Building Automation System. 2025 represents the first year of a potential three-year service contract with this vendor.

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.

Lawmen Supply Company, a Municipal Emergency Services, Inc., Company: Uniforms, Apparel, Body Armor, Leather Gear, and Supplies

Lawmen Supply Company is a party to state contracts (*DOC24072-APPAREL_BL*) and (*GSS21585-BODY_ARMOR*) and provides police uniforms and equipment to DRBA Police at their state contract price.

Leonardo US Cyber and Security Solutions, LLC: Maintenance of Automatic License Plate Reader Systems on Delaware Memorial Bridge and CMLF

In 2024, the Authority was authorized to replace the Automatic License Plate Reader (ALPR) system located on the southbound span of the bridge as the existing system reached the end of useful life. As the replacement will be completed by the end of 2024, the new

requested expenditure is for maintenance of the systems on the southbound and northbound spans of the bridge along with systems at Cape May and Lewes ferry terminals.

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

The Authority has contracted 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.

Microsoft Corporation: Cloud Storage and DNS Services

The Authority utilizes cloud storage of DRBA data and domain network services (DNS) for DRBA websites.

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 maintenance and development.

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

The Authority is replacing two (2) front mount mowers and three (3) walk-behind mowers that have exceeded their useful life, meet the Authority's vehicle replacement criteria, and are programmed in the 2025 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.

Outfront Media, Inc.: Billboard Advertising Associated with Commercial Air Service at ILG

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

Pedroni Fuel Co.: Unleaded Gasoline for CMLF Vehicles and Equipment

The Authority stores and dispenses unleaded gasoline at the Cape May-Lewes Ferry Terminals for use in Authority-owned vehicles and equipment. Pedroni Fuel Co. supplies the Authority with unleaded gasoline at prices matching their current state contract (*T0083 Unleaded Automotive Gasoline*).

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.

Poppulo, Inc.: Mobile Applications

The Authority will continue with the contract services of Poppulo to maintain and develop the mobile applications for employee communications not currently available within existing Authority systems. Due to an increase in licensing fees, a waiver of the threshold is being requested.

Runway Safe, Inc.: ILG EMAS Runway Safety System Inspection and Maintenance

The Authority is required to maintain the EMAS infrastructure in a safe condition in compliance with FAA standards and grant assurances. Runway Safe is the sole proprietor of the EMS system for the ILG runway run-off protection system.

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 d/b/a Supplytall: 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 Cape May-Lewes Ferry

The Authority publicly RFP'd and contracted with Spruce Technology to provide website redevelopment and implementation of the DRBA websites. The request for continuing

services includes website redevelopment of the Cape May-Lewes Ferry. At the conclusion of this scope of work, the Authority will have uniformity for all websites.

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. 2025 represents the final year of the three-year service agreement.

Talarico Building Services, Inc. d/b/a ServiceMaster TBS: Janitorial Services at MIV & WWD & 33N

In 2022, Staff solicited quotes from six (6) contractors and received one (1) bid for three 1-year terms. ServiceMaster TBS submitted the lowest bid to perform the work in accordance with the Authority's specifications. 2025 represents the final year of the three-year service agreement.

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

TRMI manufactures 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.

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: Uniform-Related Products and Services*).

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.

Classification Definitions:

Committee Waiver. The Budget and Finance Committee, in consideration of the DRBA's overall procurement process, may increase or waive the competitive solicitation thresholds established in paragraphs 1 and 2 of Resolution 24-17 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 24-17, Section 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 24-17, 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. This purchase classification includes those "*...purchases from cooperatives and/or the piggybacking 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.

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 24-17 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 24-17 Part 2.a.).

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RESOLUTION 24-61 - NON-EXCLUSIVE UTILITY AGREEMENT WITH SOUTH JERSEY GAS COMPANY IN LOWER TOWNSHIP, NEW JERSEY

WHEREAS, the Delaware River and Bay Authority (the “Authority”) is the owner of property in Lower Township NJ related to the Cape May Lewes Ferry operation; and

WHEREAS, South Jersey Gas Company (“SJG”) has requested a permanent non-exclusive easement in order to replace a section of their aging infrastructure in an effort to increase safety in the surrounding community; and

WHEREAS, the total easement consists of approximately Five Hundred and Twenty-Four linear feet (524); and

WHEREAS, the granting of said easement shall not interfere with or be detrimental to the future use of the property; and

WHEREAS, the Authority desires to enter into an easement agreement with SJG to formalize the parties’ rights and obligations with respect to SJG’s easement; and

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

Resolution 24-61 was moved by Commissioner Wilson, seconded by Commissioner Ratchford, and was approved by a roll call vote of 10-0.

Resolution 24-61 - Executive Summary

Resolution: Authorizing the Executive Director to execute a Permanent Easement Agreement with South Jersey Gas Company in Lower Township, New Jersey.

Committee: Economic Development

Committee Date: December 17, 2024

Board Date: December 17, 2024

Purpose of Resolution: To permit the Executive Director to execute an Easement Agreement with Lower Township, New Jersey.

Background for Resolution: Authorizes the Executive Director, Chairman and Vice Chairman to execute and deliver an easement for approximately linear feet of property. This will allow South Jersey Gas Company to remove an aging line and replace it with a new service line in Lower Township under Sandmand Blvd.

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RESOLUTION 24-62 – LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND CAPE AIR FOODS, 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, Cape Air Foods, LLC desires to lease approximately 1,425 square feet of restaurant space in the Cape May Airport (old) Terminal Building; and

WHEREAS, the term of this Lease Agreement shall be Two (2) years; and

WHEREAS, Cape Air Foods, LLC has agreed to pay the Authority annual rent in the amount of Thirteen Thousand Two Hundred Dollars 00/100 (\$13,200.00); and

WHEREAS, rent shall increase in year two by the Consumer Price Index (CPI); and

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

Resolution 24-62 was moved by Commissioner Wilson, seconded by Commissioner Ratchford, and was approved by a roll call vote of 10-0.

Resolution 24-62 - Executive Summary

Resolution: Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Cape Air Foods, LLC regarding Cape May Airport.

Committee: Economic Development

Committee Date: December 17, 2024

Board Date: December 17, 2024

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

Background for Resolution: The Delaware River and Bay Authority owns a restaurant facility at the Cape May Airport located in the old Terminal Building. Cape Air Foods currently operates out of this facility and has been operating there since 2010. The rate is based upon the current Fair Market Value.

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RESOLUTION 24-63 - LEASE AMENDMENT TO THE GROUND LEASE BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND NEW CASTLE COUNTY

WHEREAS, on June 30, 1995, New Castle County (“NCC”) and the Delaware River and Bay Authority (the “Authority”), entered into a Ground Lease pursuant to which NCC leased certain parcels of land and improvements commonly known as the Wilmington Airport (f/k/a New Castle County Airport) (the “Airport”); and

WHEREAS, on June 24, 2020, NCC delivered to Authority a Notice of Non-Renewal stating its intention to not renew the Ground Lease for an additional term; and

WHEREAS, pursuant to the NCC’s Rescission Letter and the Authority’s Rescission Acceptance, dated December 19, 2023, the parties agreed that the Notice of Non-Renewal was void and of no force or effect; and

WHEREAS, because the Notice of Non-Renewal was rescinded, NCC and the Authority agree that the First Renewal Term has been validly exercised and the Ground Lease that was set to expire on June 30, 2025, has been renewed for a renewal term of thirty (30) years; and

WHEREAS, NCC and the Authority also desire to modify certain terms of the Ground Lease, including requiring a deposit of \$1,000,000 with any future notice of non-renewal by NCC; reducing the time between non-renewal and termination; adding a requirement to immediately begin transferring FAA sponsorship following non-renewal; clarification on time periods used for amortization of various classes of capital assets in calculating the termination payment; and clarification of how capital projects will be completed in the period between notice of non-renewal and termination.

WHEREAS, NCC and the Authority have also reached an agreement on payment of a management fee to the Authority out of airport revenues and reimbursement to NCC for services provided by its' Economic Development Director from that management fee. The FAA has approved this agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of an amendment to the Ground Lease New Castle County, and a memorandum of such amendment, along with conforming changes to the Acquisition Agreement and with the advice and consent of counsel, to have such agreements executed by the Chairperson, Vice Chairperson, and the Executive Director.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Executive Director, with the advice and consent of counsel, is hereby authorized to finalize the terms and conditions of an agreement between NCC and the Authority that memorializes the payment of a management fee to the Authority and reimbursement to NCC for services provided by its' Economic Development Director, and to have such agreement executed by the Chairperson, Vice Chairperson and Executive Director.

Resolution 24-63 was moved by Commissioner Wilson, seconded by Commissioner Ratchford, and was approved by a roll call vote of 10-0.

Resolution 24-63 -Executive Summary

Resolution: Authorizing the Execution of a Ground Lease Amendment and memorandum of such amendment and a conforming amendment to the Acquisition Agreement between the Delaware River and Bay Authority and New Castle County, regarding the Wilmington Airport, New Castle, DE.

Committee: Economic Development

Committee/Board Date: December 17, 2024

Purpose of Resolution: To permit the Executive Director, Chairperson and Vice Chairperson to execute and deliver a Ground Lease Amendment, and memorandum of such amendment, along with conforming changes to the Acquisition Agreement at the Wilmington Airport.

Background of Resolution:

The Delaware River and Bay Authority operates the Wilmington Airport pursuant to a lease agreement with New Castle County. The lease has been renewed until 2055. In order to modernize the lease terms, the parties wish to amend the following language:

1. Earnest Money Deposit of \$1,000,000 will accompany any future notice of non-renewal;
2. Time between notice of non-renewal and termination reduced from 5 to no more than 3 years with requirement to immediately begin FAA process to transfer sponsorship;
3. Clarification on time periods used for amortization of various classes of capital assets; and
4. Clarification on how capital projects will get completed in the period between notice of non-renewal and termination.
5. The Authority and the County may also enter into an agreement regarding management fees paid to DRBA and reimbursement to NCC for Economic Development services rendered.

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RESOLUTION 24-64 – ADOPTING THE DELAWARE RIVER AND BAY AUTHORITY’S 2025 CAPITAL IMPROVEMENT PROGRAM (CIP)

WHEREAS, The Delaware River and Bay Authority (the “Authority”) has developed a 2025 Capital Improvement Program (CIP) for major and minor capital projects Authority-wide in the amount of \$131,691,000.00 in Authority funds and \$46,782,000.00 in external funds, for a total of \$178,473,000.00; and

WHEREAS, the proposed CIP makes investments at the Delaware Memorial Bridge, the Cape May-Lewes Ferry, the Forts Ferry, the Wilmington 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 2025 CIP; and

WHEREAS, the Authority’s Projects Committee has reviewed and approved the proposed 2025 CIP and recommends its adoption by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts the 2025 CIP investment proposal in the amount of \$178,463,000.00.

Resolution 24-64 was moved by Commissioner Houghton, seconded by Commissioner Ratchford, and was approved by a roll call vote of 10-0.

Resolution 24-64 - Executive Summary Sheet

Resolution: Authorizing the adoption of The Delaware River and Bay Authority’s 2025 Capital Improvement Program (CIP) investment proposal.

Committee: Projects Committee

Committee Date: December 17, 2024

Board Date: December 17, 2024

Purpose of Resolution: To authorize adoption of the Delaware River and Bay Authority’s 2025 Capital Improvement Program (CIP) investment proposal in the amount of \$131,791,000.00 in Authority funds and \$46,782,000.00 in external funds, for a total of \$178,473,000.00.

Background for Resolution:

The Delaware River and Bay Authority has developed a 2025 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 Wilmington Airport, the Millville Executive Airport, the Cape May Airport, the Delaware Air Park, and the Civil Air Terminal in the amount of \$131,791,000.00 in Authority funds and \$46,782,000.00 in external funds, for a total of \$178,473,000.00. External funds include but are not limited to grants and cost-sharing from the federal government, the States of Delaware and New Jersey, and Cape May County.

The implementation of this 2025 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 2025 CIP is accompanied by a Five-Year (2025-2029) Strategic Plan showing projections for four additional years of capital spending.

The Projects Committee has conducted a publicly advertised meeting on the proposed 2025 CIP, approved the proposed 2024 CIP, and recommends its adoption to the Board of Commissioners.

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RESOLUTION 24-65 – AUTHORIZING THE AUTHORITY TO SEEK A WAIVER OF THE FEDERAL TRANSIT ADMINISTRATION’S BONDING REQUIREMENTS AND ISSUE BID DOCUMENTS FOR NEW VESSEL CONSTRUCTION CONTAINING MODIFIED REQUIREMENTS FOR PERFORMANCE AND PAYMENT BONDS

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 owns, operates and controls the Cape May-Lewes Ferry; and

WHEREAS, the Authority’s Capital Improvement Program includes a New Vessel Design and Construction project (the “project”) that will enable the replacement of one of the existing vessels at the Ferry; and

WHEREAS, the bids for the project will be solicited in 2025; and

WHEREAS, it has been the practice of the Authority to require winning bidders on all large construction contracts to provide Performance and Payment Bonds equal to 100% of the value of the contract; and

WHEREAS, the issuance of Performance and Payment bonds equal to 100% of the value of construction contracts is required under the terms and conditions of a grant for new vessel construction that the Authority has received from the Federal Transit Administration; and

WHEREAS, the issuance of Performance and Payment bonds equal to 100% of the value of the contract is not the standard industry practice in construction contracts for new ferry vessels; and

WHEREAS, the Authority is concerned that the issuance of Performance and Payment bonds equal to 100% of the value of the contract may unnecessarily reduce the number of bidders on the project; and

WHEREAS, the Authority is conducting a study to verify that a contractor’s issuance of Performance and Payment bonds at less than 100% of the value of the new vessel contract would pose minimal financial risk; and

WHEREAS, the Federal Transit Administration’s rules allow for a waiver of the 100% requirement for the Performance and Payment bonds, if the grantee specifically permits it.

THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to complete the study of the degree of risk posed by allowing the contractor to post Performance and Payment bonds at less than 100% of the value of the new vessel contract. Additionally, the Executive Director is authorized to seek a waiver from the Federal Transit Administration’s Performance and Payment bond requirements.

BE IT FURTHER RESOLVED, that results of the study shall be transmitted to the Board Chair and Vice Chair and Counsel. If the study demonstrates to the Chair and Vice-Chair, with the advice and consent of Counsel, that the risk to the Authority will not rise to or above 50% of the contract price over the course of the new vessel’s construction, and if the requested waiver is granted by the Federal Transit

Administration, the Executive Director is further authorized to finalize bid documents for the new vessel project that contain a requirement for Performance and Payment bonds in an amount no less than 50% of the contract price.

Resolution 24-65 was moved by Commissioner Houghton, seconded by Commissioner Wilson, and was approved by a roll call vote of 10-0.

Resolution 24-65 - Executive Summary Sheet

Resolution: Authorizing the Authority to seek a waiver of the Federal Transit Administration's bonding requirement and issue bid documents for new vessel construction containing modified requirements for Performance and Payment bonds.

Committee: Projects Committee

Committee/

Board Date: December 17, 2024

Purpose of Resolution:

To authorize the Executive Director to conclude a study of the degree of financial risk posed to the Authority by requiring the contractor to provide Performance and Payment bonds at less than 100% of the contract price.

To authorize the Executive Director to seek a waiver from the Federal Transit Administration's grant terms and conditions that require contractors to provide Performance and Payment bonds equal to 100% of the value to the contract.

The results of the study shall be transmitted to the Board Chair and Vice Chair and Counsel. If the study demonstrates to the Chair and Vice Chair, with the advice and consent of Counsel, that the risk to the Authority will not rise to or above 50% of the total contract price during the course of the new vessel's construction, and should said waiver be granted, the Executive Director is further authorized to issue bid documents for new vessel construction with requirements for Performance and Payment bonds equal to no less than 50% of the value of the contract.

Background for Resolution:

The Authority intends to issue bid documents for a new ferry vessel early in 2025. Standard Authority practice heretofore has been to require Performance and Payment bonds equal to 100% of the value of the contract. In addition, the federal agency granting funds for our new vessel construction requires identical bonds of the identical (100%) value.

Standard practice in the ferry vessel construction industry is not to require 100% Performance and Payment bonds. The Authority is concerned that requiring bonds of that value may unnecessarily reduce the number of shipyards that submit bids. The Authority is conducting a study to verify that reducing the 100% number would present minimal risk.

The FTA has a provision allowing for a waiver of its 100% Performance and Payment bond requirements, if lower amounts are specifically allowed by the grantee agency. The Authority will seek such a waiver.

The resolution authorizes the Executive to complete the study and transmit the results to the Board Chair and Vice Chair and Counsel. If the Chair and Vice Chair, with the advice and consent of Counsel, determine that the risk to the Authority will not rise to or above 50% of the value of the contract price, and if the requested waiver is granted by the FTA, the Executive Director may then issue bid documents that require the winning bidder to provide Performance and Payment bonds in an amount no less than 50% of the contract's value.

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12388. EXECUTIVE DIRECTOR'S COMMENTS

The Executive Director showed a picture of DRBA employees preparing 450 meals for community centers throughout Delaware. The Executive Director thanked Jennifer Howard-Oberle and TJ Murray for participating in the community engagement team. The next slide presented Shop with a Cop had 19 families participate. DRBA employee Bill Bell retired from New Castle County Council with 20 years of dedicated service. On the final slide the ED welcomed the newest DRBA commissioner, Mr. Michael Houghton.

Upcoming Events

Wednesday, January 22, 2024 – Board of Commissioners Meeting 10 am – James Julian Board Room

Wednesday, February 19, 2024 – Board of Commissioners Meeting – 10 am – James Julian Board Room

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12389. COMMISSIONERS PUBLIC FORUM

Commissioner Lathem called for comments from the Commissioners. Commissioner Collins thanked the DRBA for sponsoring the DSU President's Scholarship Ball. Chairperson Lathem wished everyone a Merry Christmas and a Happy New Year!

With no additional forthcoming comments, a motion to adjourn the Board meeting at 11:55 a.m. was made by Commissioner Wilson, seconded by Commissioner Houghton, and approved by a voice vote of 10-0.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

James Salmon
Assistant Secretary