

**SOUTH JERSEY TRANSPORTATION AUTHORITY
BOARD OF COMMISSIONERS MEETING
JUNE 17, 2020**

This regularly scheduled Board of Commissioners Meeting of the South Jersey Transportation Authority was held on June 17, 2020 via teleconference, commencing at 9:04 a.m.

After calling the meeting to order Chair Gutierrez-Scaccetti stated due to her chairing the meeting via teleconference, Vice Chair Milam would be signing the approved resolutions on her behalf.

Present

Chair Diane Gutierrez-Scaccetti
 Commissioner Jeffery A. April, Esq.
 Commissioner Bryan J. Bush
 Commissioner Maurice B. Hill, Jr., DMD
 Commissioner James J. McCullough
 Vice Chairman Christopher M. Milam (in person)
 Commissioner Joseph Ripa
 Rudy Rodas, Esq., Governor’s Authorities Unit
 Stephen F. Dougherty, Executive Director (in person)
 Karen Davis, Director of Finance (in person)
 Nicholas Sullivan, Esq. General Counsel
 Cynthia Blasberg, Board Secretary (in person)
 Debra Murphy, Alternate Board Secretary (in person)

Absent

Commissioner Christina Fuentes, EDA
 Commissioner C. Robert McDevitt

Statement of Public Notice

Notice of this regularly scheduled meeting of the South Jersey Transportation Authority was advertised in the Press of Atlantic City, the Camden Courier Post, the Newark Star Ledger and with the Secretary of the State of New Jersey as to the time, date and place of convening. Notice was also been posted at the Farley Service Plaza, the Atlantic City International Airport, the Atlantic City and Blackwood Offices. A public notice was posted on the Authority’s website notifying the public that this meeting is being remotely held due to the COVID-19 Pandemic.

Chair Gutierrez-Scaccetti stated considering the last few weeks we recognized Memorial Day, D-day and Flag Day she would call for a moment of silence to remember all those who serve our country and made the ultimate sacrifice to protect our freedom.

Roll Call

| Commissioner | Present | Absent |
|--|----------------|---------------|
| Chair Diane Gutierrez-Scaccetti | X | |
| Commissioner Jeffery A. April, Esq. | X | |
| Commissioner Bryan J. Bush | X | |
| Commissioner Maurice B. Hill, Jr., DMD | X | |
| Commissioner James J. McCullough | X | |
| Commissioner C. Robert McDevitt | | X |
| Vice Chairman Christopher M. Milam | X | |
| Commissioner Joseph Ripa | X | |
| Commissioner Christina Fuentes | | X |

Two (2) members of the public called into this meeting.

Approval of the Agenda

Chair Gutierrez-Scaccetti called for a motion to approve the June 17, 2020 agenda. Whereupon, a motion was made by Commissioner Bush and Commissioner Ripa approving said agenda. Chair Gutierrez-Scaccetti asked for questions on the motion. No questions were asked. A unanimous vote was taken adopting and approving the agenda. A copy of the agenda is attached hereto and made a permanent part of these official Authority minutes.

Approval of Meeting Minutes

Chair Gutierrez-Scaccetti called for a motion to approve the May 20, 2020 meeting minutes and the May 27, 2020 Special meeting minutes. Whereupon, a motion was made by Commissioner April and seconded by Commissioner Ripa approving the said minutes. Chair Gutierrez-Scaccetti asked for questions on the motion. No questions were asked. All Commissioners in attendance voted, approving and adopting the minutes. Commissioner Hill abstained from voting on the May 27, 2020 meeting minutes because he was not in attendance.

Executive Session

Chair Gutierrez-Scaccetti asked General Counsel if an Executive Session was needed, to which General Counsel responded affirmatively.

Mr. Dougherty presented Resolution 2020-75 to the Commissioners for the exclusion of the public to discuss personnel matters pertaining to the Schedule "A" associated with Resolution 2020-74 and a litigation matter specific.

Whereupon, the motion was made by Commissioner Bush and seconded by Commissioner McCullough approving Resolution 2020-75. A unanimous vote was taken approving the resolution, adjourning the public portion of the meeting at 9:08 a.m. A copy of Resolution 2020-75 is attached hereto and made a permanent part of these official Authority minutes.

Chair Gutierrez-Scaccetti asked the Operation to place the public audience on hold while the Board enter into Executive Session.

At the close of Executive Session, Chair Gutierrez-Scaccetti called for a motion to return to the public portion of the meeting. Whereupon, a motion was made by Commissioner McCullough and seconded by Commissioner April. The public portion of the meeting reconvened at 9:40 a.m.

The Operator reconnected the public audience with the Board Members.

Chair Gutierrez-Scaccetti then requested the Secretary call the roll.

Roll Call

| Commissioner | Present | Absent |
|--|----------------|---------------|
| Chair Diane Gutierrez-Scaccetti | X | |
| Commissioner Jeffery A. April, Esq. | X | |
| Commissioner Bryan J. Bush | X | |
| Commissioner Maurice B. Hill, Jr., DMD | X | |
| Commissioner James J. McCullough | X | |
| Commissioner C. Robert McDevitt | | X |
| Vice Chairman Christopher M. Milam | X | |
| Commissioner Joseph Ripa | X | |
| Commissioner Christina Fuentes | | X |

Executive Report

Chair Gutierrez-Scaccetti asked for the presentation of the Executive Report. Mr. Dougherty presented the June 2020 Executive Report: a copy of which is attached hereto and made a permanent part of these official Authority minutes.

Committee Reports

Chair Gutierrez-Scaccetti asked Mr. Dougherty to present the Committee Reports. Mr. Dougherty reported all Committees met on June 3, 2020. During these meetings, Commissioners were briefed on the resolutions being presented this morning as well as updates on the Banking and Armored Car Services, Spirit Airline Flights and Hertz Corporation Bankruptcy. Commissioners were provided with the schedule of upcoming projects, the EO-8 Report and Airport statistics.

Public Response to Agenda Items

Chair Gutierrez-Scaccetti asked the public for comments on any of the agenda items. Michelle Brunetti-Post from the Atlantic City Press stated she found it difficult to hear Mr. Dougherty and did not know if he was on speaker phone.

No additional comments were made.

Approval of Bills

Chair Gutierrez-Scaccetti asked Mr. Dougherty for the presentation of bills. Mr. Dougherty stated the bills have been sent to the Commissioners previously for their review and are being recommended for approval. Chair Gutierrez-Scaccetti called for a motion to approve the bill list. Whereupon, the motion was made by Commissioner April and seconded by Commissioner Bush, approving said bill list. Chair Gutierrez-Scaccetti asked the Commissioners for questions on the motion. Being none, Chair Gutierrez-Scaccetti requested the Secretary call the roll.

Roll Call

| Commissioner | Motion | 2nd | Yea | Nay | Abstain | Recused | Absent |
|--|---------------|-----------------------|------------|------------|----------------|----------------|---------------|
| Chair Diane Gutierrez-Scaccetti | | | X | | | | |
| Commissioner Jeffery A. April, Esq. | | | X | | | | |
| Commissioner Bryan J. Bush | | | X | | | | |
| Commissioner Maurice B. Hill, Jr., DMD | | | X | | | | |
| Commissioner James J. McCullough | | | X | | | | |
| Commissioner C. Robert McDevitt | | | | | | | X |
| Vice Chairman Christopher M. Milam | | | X | | | | |
| Commissioner Joseph Ripa | | | X | | | | |

Resolutions and Motions:

Chair Gutierrez-Scaccetti asked Mr. Dougherty to present the resolutions. Mr. Dougherty advised the Chair and Commissioners he would be presenting a total of fifteen (15) resolutions for their consideration. Mr. Dougherty presented Resolutions 2020-60 through 2020-74.

Chair Gutierrez-Scaccetti called for a motion to approve the resolutions. The motion as presented, was moved by Commissioner April and seconded by Commissioner Bush, approving said resolutions.

Chair Gutierrez-Scaccetti asked if there is any discussion on any of the items on the agenda.

Roll Call

| Commissioner | Motion | 2nd | Yea | Nay | Abstain | Recused | Absent |
|--|---------------|-----------------------|------------|------------|----------------|----------------|---------------|
| Chair Diane Gutierrez-Scaccetti | | | X | | | | |
| Commissioner Jeffery A. April, Esq. | | | X | | | | |
| Commissioner Bryan J. Bush | | | X | | | | |
| Commissioner Maurice B. Hill, Jr., DMD | | | X | | | | |
| Commissioner James J. McCullough | | | X | | | | |
| Commissioner C. Robert McDevitt | | | | | | | X |
| Vice Chairman Christopher M. Milam | | | X | | | | |
| Commissioner Joseph Ripa | | | X | | | | |

RESOLUTION 2020-60 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO AMERIHEALTH CASUALTY SERVICES OF PHILADELPHIA, PENNSYLVANIA FOR THIRD PARTY CLAIMS

ADMINISTRATION SERVICES FOR LIABILITY AND WORKERS' COMPENSATION INSURANCE

Pursuant to Section 8(a) of the Act and Executive Order #37, the Authority is required to publicly advertise for Request for Proposals before entering into agreements or contracts for services of a professional or technical nature. On March 18th and 19th, 2020, the Authority publicly advertised a Request for Proposals for Third Party Claims Administration Services for Liability and Workers' Compensation Insurance. In response to said advertising, on May 13, 2020, five (5) proposals were received and subsequently distributed to the Consultant Selection Committee (CSC). On June 8, 2020, members of the CSC, met for the purpose of ranking the reviewed proposals with subject matter expertise provided by the Authority's General Liability Insurance Broker Conner Strong & Buckelew. The Director of Business Administration believes it to be in the best interest of the Authority and recommends award of a contract to AmeriHealth Casualty Services of Philadelphia, Pennsylvania for Third Party Claims Administration Services for Liability and Workers' Compensation Insurance for a term of four (4) years.

RESOLUTION 2020-61 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO GOBIS & COMPANY, LLC, OF NEWPORT, RHODE ISLAND, FOR OUT OF HOME ADVERTISING PROGRAM CONSULTING SERVICES

Pursuant to Section 8(a) of the Act and Executive Order #37, the Authority is required to publicly advertise for Request for Proposals before entering into agreements or contracts for services of a professional or technical nature. The Authority publicly advertised a Request for Proposals ("RFP") for Out of Home Advertising Program Consulting Services on March 17th and March 18th, 2020. In response to said RFP, two (2) proposals were received by the Authority and opened on May 13th, 2020. The Authority's Consultant Selection Committee met on May 21st, 2020 for the purpose of reviewing and ranking the proposals and has determined that Gobis & Company, LLC, of Newport, Rhode Island, possesses the unique skills, experience and knowledge regarding and relating to advertising program policies and procedures of public entities including; but not limited to, marketing and has the technical and professional expertise required to serve the Authority. The Director of Business Administration recommends entering into a contract with Gobis & Company, LLC, of Newport, Rhode Island, and believes contracting with the firm will be beneficial to the Authority in assisting with managing and marketing its advertising program for the term of two (2) years beginning on or about July 1, 2020, and expiring on or about June 30, 2022 with two (2) additional (1) one-year renewal options, in an amount not to exceed \$48,000.00 per year inclusive of all expenses.

RESOLUTION 2020-62 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY APPROVING A COLLABORATIVE AGREEMENT BY AND BETWEEN THE SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION (SJTPO) AND THE SOUTH JERSEY ECONOMIC DEVELOPMENT DISTRICT (SJEDD), AND A SUBLEASE AGREEMENT BY AND BETWEEN THE SJTA, SJTPO AND SJEDD

The Authority entered into certain Basic Agreements, the latest dated December 17, 2019 (the "Agreement"), with the State of New Jersey acting through its Department of Transportation Commissioner, pursuant to which the Authority was designated to provide administrative support for the South Jersey Transportation Planning Organization (SJTPO). The SJTPO is the Metropolitan Planning Organization designated under federal law for the southern region of New Jersey including Atlantic, Cape May, Cumberland and Salem Counties. The South Jersey Economic Development District (SJEDD) is a federally funded New Jersey non-profit corporation organized under N.J.S.A. 15A:3-1 and is federally authorized as an established Certified Development Corporation in order to serve as the regional Economic Development District for southern New Jersey. The SJEDD was authorized to serve as the responsible entity for regional economic development strategy and planning for the geographic region comprised of Atlantic, Cape May, Cumberland and Salem Counties. SJTPO and SJEDD serve the same geographical region of southern New Jersey in order to collectively fulfill the dual Federal mandates of promoting and developing transportation plans, strategies and economic development plans and strategies, respectively. The SJTPO and SJEDD now wish to enter into an agreement for the sharing of office space, administrative and IT support (provided by SJTPO to SJEDD), and the sharing of certain office equipment. This agreement does not address funding or the

sharing of any other goods, services or other functions between both parties. The term of this agreement shall be three (3) years with two (2) one (1) year renewal options. As the lease agreement for the SJTPO office space is by and between the Authority, as the administrative host of the SJTPO, and Pisces Properties (said agreement attached hereto as Exhibit "A") the Authority desires to authorize the sublease of office space to the SJEDD. The SJEDD shall pay the Authority nominal rent in an amount of \$250.00 per month for the use of said office space. The Authority believes the aforementioned agreements will foster and encourage cooperation, collaboration and the sharing of resources so to more expeditiously and efficiently accomplish both parties' respective Federal mandates for the South Jersey region.

RESOLUTION 2020-63 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXTENSION OF THE LEASE AGREEMENT WITH PISCES PROPERTIES, LLC OF VINELAND, NEW JERSEY FOR OFFICE SPACE ON BEHALF OF THE SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION

Pursuant to Section 7(x) of the Act, the Authority has the power to enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the Authority or to carry out any powers expressly given in the Act. Pursuant to N.J.S.A. 27:1A-84, Any purchase, contract, or agreement, where the cost or contract price exceeds \$25,000.00, section 16 of P.L.1998, c. 44 (C.52:27C-76), may be made, negotiated, or awarded by the office without advertisement when the matter consists of the purchase, rental, or lease of such office space. The Authority and the SJTPO previously entered into an office lease agreement with Pisces Properties, LLC, of Vineland, to lease approximately 3,500 to 4,500 net rentable square feet of new or existing office space for occupancy in Vineland, New Jersey. As the term of said lease is set to expire on or about August 24, 2020. The Authority and SJTPO desire to enter into a new office lease agreement with Pisces Properties, LLC of Vineland, New Jersey as provided for in the above mentioned Act, commencing on August 25, 2020, for a term of three years with two (2) one (1) year options to extend in an amount of \$73,060.00 annually as outlined in the attached Exhibit A. The SJTPO approved this action during its bi-monthly scheduled Board Meeting held on Tuesday, May 26, 2020 by Resolution 2005-15. The Director of Engineering, whom represents the Authority on the SJTPO Policy Board, believes it to be in the best interest of the Authority and recommends authorization to enter into said lease agreement with Pisces Properties LLC of Vineland, New Jersey.

RESOLUTION 2020-64 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE APPOINTMENT OF BROWN AND CONNERY, LLP OF WESTMONT, NEW JERSEY, AS GENERAL LEGAL COUNSEL AND MCMANIMON-SCOTLAND-BAUMANN, LLC OF ROSELAND, NEW JERSEY, AS SPECIAL LEGAL COUNSEL TO THE SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION

The South Jersey Transportation Authority ("SJTA") has heretofore entered into certain Basic Agreements, the latest dated December 17, 2019 (the "Agreement"), with the State of New Jersey acting through its Department of Transportation Commissioner (the "State"), pursuant to which the Authority was designated to provide administrative support for the South Jersey Transportation Planning Organization (the "SJTPO"). The SJTPO, a Metropolitan Planning Organization whose function is to develop transportation programs for urbanized areas of the State in order to encourage and promote the development of intermodal transportation systems that maximize mobility while minimizing air pollution is charged with the oversight of all federally funded surface transportation planning activities in Atlantic, Cape May, Cumberland and Salem Counties. In furtherance of Executive Order #37, dated September 26, 2006, and to enhance effective and efficient management of legal resources, on February 10th and February 11th, 2020 the Authority publicly advertised a Request for Proposals ("RFP") for General Legal Counsel and Special Legal Counsel services the South Jersey Transportation Planning Organization ("SJTPO"). On February 25th, 2020, in response to said advertising, three (3) qualified proposals were received. On March 4th, 2020, same were reviewed and ranked by the Consultant Selection Committee comprised of Authority and SJTPO staff. The hourly rates, as set forth in the Request for Proposals for all practice areas addressed in this RFP are as follows: \$200.00 per hour for partners, \$175.00 per hour for associates, \$125.00 per hour for workers'

compensation attorneys, \$100.00 per hour for clerks and law assistants (summer associates or law school graduates awaiting bar results), and \$90.00 per hour for paralegals. A cap on total annual compensation for such practice areas shall be: General Legal Counsel, \$15,000.00; Special Legal \$15,000.00.

RESOLUTION 2020-65 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF AMENDMENT NO. 2 TO THE AMENDED AND RESTATED OPERATING E-ZPASS OPERATIONS INTERAGENCY AGREEMENT

The Authority is currently an active Full Member of the E-ZPass Interagency Group (“IAG”). The Authority and other toll operators approved as Full Member Agencies by the IAG Executive Management Committee are parties to an E-ZPass Operating Agreement dated February 20, 1998 (the “Base Operating Agreement”). The Operating Agreement establishes an Executive Management Committee (“EMC”) to provide overall management of the IAG, including the development of an annual estimate of expenses to be incurred for the collective benefit of the Member Agencies and the establishment of a formula and procedure for sharing such expenses. Due to numerous amendments to the E-ZPass Operating Agreement, the Full Member Agencies entered into an Amended and Restated E-ZPass Interagency Agreement dated as of August 13, 2015 (“Operating Agreement”) to include all previously approved amendments. The Authority, via Resolution 2015-112, authorized the Amended and Restated Operating Agreement. The Full Member Agencies of the E-ZPass Interagency Group (“IAG”) approved Amendment 1 to the Amended and Restated E-ZPass® Operations Interagency Agreement dated March 8, 2018 (“Amendment 1”) which modified member classification by adding a Sponsored Affiliate Membership category and removing the National Affiliate Membership Category. The Authority, via Resolution 2018-32, authorized the execution of Amendment No. 1 to the Amended and Restated Operating Agreement. The IAG has issued transponders to customers for purposes of establishing a convenient and efficient payment system on their respective tolls. The EMC directed the IAG Legal Committee to draft appropriate changes to the Operating Agreement to revise the permitted sponsors for a Sponsored Affiliate to be any Full Member as in similar form stated in the terms and conditions set forth in Amendment 2 of the Amended and Restated E-ZPass Operations Interagency Agreement (“Amendment 2”). The parties have determined it to be necessary and in the best interests of the parties to authorize Amendment No. 2 to the Amended and Restated E-ZPass Operations Interagency Agreement in similar form as set forth in Exhibit 1 attached hereto. The Director of Information and Toll Technology recommends executing the Amendment No. 2 to the Amended and Restated Operating Agreement.

RESOLUTION 2020-66 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO TN WARD OF ATLANTIC CITY, NEW JERSEY, FOR ATLANTIC CITY INTERNATIONAL AIRPORT AIRCRAFT RESCUE & FIRE FIGHTING STATION (ARFF) ENVELOPE REPAIR PROGRAM

Pursuant to Section 8(a) of the Act, the Authority is required to publicly advertise for bids before entering into contracts for purchases and certain services. On April 29th, 2020 and April 30th, 2020, consistent with Section 8(a) of the Act, the Authority publicly advertised for bids for the Atlantic City International Airport Aircraft Rescue & Fire Fighting Station (ARFF) Envelope Repair Program. Work items include but are not limited to the removal and reinstallation/replacement of isolated cladding materials to conduct repairs to concealed wall flashings. Additional items include miscellaneous roof/flashing repairs, joint sealant replacement and window repairs. On May 20th, 2020 three (3) bids were received, opened and tabulated and TN Ward of Atlantic City New Jersey was deemed the lowest responsive, responsible bidder in an amount not to exceed \$846,157.00 for the Atlantic City International Airport Aircraft Rescue & Fire Fighting Station (ARFF) Envelope Repair Program. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with TN Ward of Atlantic City, New Jersey for the Atlantic City International Airport Aircraft Rescue & Fire Fighting Station (ARFF) Envelope Repair Program.

RESOLUTION 2020-67 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO A.E. STONE, INC. OF EGG HARBOR

TOWNSHIP, NEW JERSEY FOR ATLANTIC CITY INTERNATIONAL AIRPORT RUNWAY 13-31 REHABILITATION PROJECT

Pursuant to Section 8(a) of the Act, the Authority is required to publicly advertise for bids before entering into contracts for purchases and certain services. On April 8th, 2020 and April 9th, 2020, consistent with Section 8(a) of the Act, the Authority publicly advertised for bids for the Atlantic City International Airport Runway 13-31 Rehabilitation Project. Major work items include and are not limited to: Mill and overlay of Runway 13-31, connecting taxiways (A, B, C, J and H) pavement up to the runway holding position marking, pavement crack repairs, installation of new temporary and permanent airfield pavement marking, removal and reinstallation of existing airfield lights on runway and taxiway pavements, and installation of temporary lighting and marking system during the construction period. This project also includes additional work items for the Improvements of Air National Guard's (ANG's) BAK 12/14 Arresting System. As part of this solicitation, the Authority sought bids for Base Bid 1 and Base Bid 2, wherein the work limits for each varied and the selection is contingent upon availability of funds. On May 12th, 2020 two (2) bids were received, opened and tabulated. Following a review of the bids, the Authority deemed that the award of the Base Bid 2 represented the best value for the Authority. The Authority desires to award Base Bid 2 of this project contingent upon grant funding from the FAA and funding from the Air National Guard for their portion of the project. A.E. Stone, Inc. of Egg Harbor Township, New Jersey was deemed the lowest responsive, responsible bidder for Base Bid 2 in an amount not to exceed \$10,546,000.00. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with A.E. Stone, Inc. for said project.

RESOLUTION 2020-68 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROVE, EXECUTE AND ACCEPT PROJECT PROPOSALS, AWARDS, GRANTS, COOPERATIVE AGREEMENTS AND RELATED DOCUMENTS FOR THE FAA ON BEHALF OF THE AUTHORITY WITH RESPECT TO THE AUTHORITY'S AIRPORT DIVISION

Pursuant to Section 7(r) of the Act, the Authority has the power, subject to approval by the Commissioners, to apply for, receive and accept from any federal agency, any bi-State agency or the State or subdivision thereof, grants for or in aid of the planning or acquisition of any project and to receive and accept aid or contributions from any other public or private source, of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which those grants and contributions may be made. The Federal Aviation Administration ("FAA") has been delegated authority to award Federal Financial Assistance for Aviation Projects. The Authority has submitted FAA grant applications and received subsequent notification of grant offering for the following Airport projects/equipment entitled: Runway 13-31 Rehabilitation Project, Grant No: 3-34-0002-105-2020. As the FAA requires Board approval to accept such grants, it is the desire of the Authority to authorize acceptance as well as the execution of any project proposals, awards, grants, certifications and assurances, cooperative agreements and related documents in connection therewith.

RESOLUTION 2020-69 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING ENTRY INTO A CONTRACT WITH SOUTH STATE, INC. OF BRIDGETON, NEW JERSEY FOR THE ATLANTIC CITY EXPRESSWAY ("ACE") CONNECTOR TUNNEL JET FAN REPLACEMENTS-PHASE 4

On August 28th and 29th, 2019 the Authority publicly advertised for Bids for the Atlantic City Expressway (ACE) Connector Tunnel Jet Fan Replacements, Phase 4, which consists of furnishing all labor, equipment, testing, and materials and performing all work required to perform maintenance and protection of traffic; removal of up to five (5) existing jet fans; and replacement, testing, and commissioning of up to five (5) new jet fans in the Atlantic City Expressway Connector Tunnel within the jurisdiction of the Authority in Atlantic City. On September 19th, 2019 one (1) bid was received, opened and tabulated, and subsequently rejected due to being well in excess of the Authority's estimate for the project. On January 29th and 30th, 2020 the Authority publicly advertised the Rebid of the project. On February 19th, 2020 one (1) bid was received, opened and tabulated and subsequently rejected due to being well in excess of the Authority's estimate for the project. Pursuant to Section 8(a)

of the Act, the Authority is required to publicly advertise for all contracts. pursuant to Section 8(b)(6) of the Act, the Authority may negotiate a contract without public bid or advertisement when the Authority has advertised for bids on two occasions and received no responsive bids and at that time, the contract may then be negotiated and awarded to any responsive contractor except that the terms, conditions, restrictions and specifications in the negotiated contract cannot be substantially different than those in the competitive bidding. The Authority negotiated with the sole bidder, South State, Inc, the result of which was a \$100,000 reduction in their bid price of the desired base bid with no significant change in project scope. The Authority desires to enter into a contract with South State, Inc. of Bridgeton, New Jersey, for the Atlantic City Expressway (ACE) Connector Tunnel Jet Fan Replacements, Phase 4, in an amount not to exceed \$863,500.00.

RESOLUTION 2020-70 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO AN AIRLINE USE & LEASE AGREEMENT WITH GLOBAL CROSSING AIRLINES, OF MIAMI, FLORIDA, FOR CHARTER AIR SERVICE

Global Crossing Airlines, a newly formed airline currently seeking certifications for the FAA & DOT, has expressed an interest in providing charter air service to and from the Atlantic City International Airport. They have further expressed a desire to lease terminal space from the Authority in order to conduct its services. The Authority desires to negotiate and enter into an airline use and lease agreement with Global Crossing Airlines for charter service to and from the Atlantic City International Airport. This service will not begin until all required certifications are in place for Global Crossing Airlines.

RESOLUTION 2020-71 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A SECOND AMENDMENT TO THE AIRPORT LEASE AND CONCESSION AGREEMENT WITH OUTSTANDING HOSPITALITY MANAGEMENT, A LIMITED LIABILITY COMPANY AS A RESULT OF THE COVID-19 PANDEMIC

The Authority entered into an Airport Lease and Concession Agreement dated July 9, 2018, with a commencement date of July 19, 2018, with Outstanding Hospitality Management, a limited liability company (“OHM”) and an Amendment to Airport Lease and Concession Agreement dated April 28, 2020 (collectively the “Concession Agreement”) to provide the Atlantic City Airport and its facilities high quality and reasonably priced food and beverage services to the traveling public within the terminal at the Airport. The Concession Agreement was for a term of ten (10) years with one (1) five (5) year renewal option. Due to the outbreak of the coronavirus (COVID-19), and recommendations by the federal government, travel has been restricted in the United States. On March 9, 2020, New Jersey Governor Philip Murphy, in order to protect the health, safety and welfare of the people of New Jersey, signed Executive Order No. 103, declaring a Public Health Emergency and State of Emergency exist in the State of New Jersey. On March 16, 2020, Governor Murphy signed Executive Order No. 104, placing further restrictions on commerce, travel, public gatherings and other preventive measures to slow the spread of COVID-19 in New Jersey. On March 20, 2020, Governor Murphy signed Executive Orders 107 and 108 in response to the continued spread of COVID-19, in which Executive Orders took effect as of March 21, 2020 at 9:00pm and is intended to remain in effect until revoked. On May 6, 2020, Governor Murphy signed Executive Order No. 138, extending all prior Executive Orders related to the Public Health Emergency created by COVID-19. As a result of the Public Health Emergency, OHM has requested that the Concession Agreement be temporarily modified during the Public Health Emergency by (a) waiving the Minimal Annual Guaranty for a period of time; (b) allowing OHM to close its business at the Airport until such time before or after June 13, 2020 to be determined at the sole discretion of the Authority; and (c) a change in the term of the Agreement. Given the COVID-19 virus, the Public Health Emergency and the State of Emergency, the Authority finds that entering into an amendment with OHM would be beneficial to the Authority and the traveling public.

RESOLUTION 2020-72 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A

SECOND AMENDMENT TO THE AIRPORT LEASE AND CONCESSION AGREEMENT WITH HUDSON GROUP RETAIL, A LIMITED LIABILITY COMPANY AS A RESULT OF THE COVID-19 PANDEMIC

The Authority entered into an Airport Lease and Concession Agreement dated February 21, 2020 with Hudson Group Retail, a limited liability company d/b/a Hudson Group and an amendment to Airport Lease and Concession Agreement dated May 4, 2020 (collectively the “Concession Agreement”) to provide the Atlantic City Airport and its facilities high quality and reasonably priced food and beverage services to the traveling public within the terminal at the Airport. Due to the outbreak of the coronavirus (COVID-19), and recommendations by the federal government, travel has been restricted in the United States. On March 9, 2020, New Jersey Governor Philip Murphy, in order to protect the health, safety and welfare of the people of New Jersey, signed Executive Order No. 103, declaring a Public Health Emergency and State of Emergency exist in the State of New Jersey. On March 16, 2020, Governor Murphy signed Executive Order No. 104, placing further restrictions on commerce, travel, public gatherings and other preventive measures to slow the spread of COVID-19 in New Jersey. On March 20, 2020, Governor Murphy signed Executive Orders 107 and 108 in response to the continued spread of COVID-19, in which Executive Orders took effect as of March 21, 2020 at 9:00pm and is intended to remain in effect until revoked. On May 6, 2020, Governor Murphy signed Executive Order No. 138, extending all prior Executive Orders related to the Public Health Emergency created by COVID-19. As a result of the Public Health Emergency, Hudson Group has requested that the Concession Agreement be temporarily modified during the Public Health Emergency by (a) waiving the Minimal Annual Guaranty for a period of time; and (b) allowing Hudson Group to close its business at the Airport until such time before or after June 13, 2020 to be determined at the sole discretion of the Authority. Given the COVID-19 virus, the Public Health Emergency and the State of Emergency, the Authority finds that entering into an amendment with Hudson Group would be beneficial to the Authority and the traveling public.

RESOLUTION 2020-73 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE AUTHORITY AND THE STATE OF NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT RELATING TO APPLICATION FOR GRANTS UNDER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

Pursuant to Section 7(r) of the Act, the Authority has the power, subject to approval by the Commissioners, to apply for, receive and accept from any federal agency, any bi-State agency or the State or subdivision thereof, grants for or in aid of the planning or acquisition of any project and to receive and accept aid or contributions from any other public or private source, of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which those grants and contributions may be made. The New Jersey Office of Emergency Management (“the NJOEM”), on behalf of the State of New Jersey, is the Grantee receiving funding under the Federal Emergency Management Agency (“FEMA”) Public Assistance and/or Hazard Mitigation Programs as authorized under the Stafford Act and has the fiduciary responsibility to ensure those funds are spent on eligible Subgrantee’s facilities and activities, and are properly reimbursed to the Subgrantee. Under the current information provided, FEMA has determined that the Authority, as a Subgrantee, is eligible to apply for and/or receive FEMA funding under the Public Assistance and/or Hazard Mitigation Programs, subject to approval of a Project Worksheet for Public Assistance or application for a Hazard Mitigation grant. As a Subgrantee, the Authority is required to enter into this Memorandum of Understanding (“MOU”) with the NJOEM as part of the application process for said Public Assistance and the MOU will become effective and binding following the approval of a Project Worksheet or Hazardous Mitigation Grant. Upon execution of said MOU, and as a condition of accepting of and expending FEMA funding, the Authority agrees to follow all NJOEM guidelines, regulations and directives regarding any funding received by the Authority as defined in the MOU. Upon execution and submission of this MOU, the Authority shall be provided technical access, advice on best practices and other education outreach programs to assist the Authority in the formulation and management of its FEMA grants by NJOEM. The Executive Director recommends entering into this MOU with the NJOEM, in the form attached hereto as “Exhibit A”.

**RESOLUTION 2020-74 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY
AUTHORIZING CERTAIN PERSONNEL ACTIONS**

Pursuant to the Authority By-Laws, the Personnel Committee shall advise the Board on issues related to organization structure, equal employment opportunity, labor negotiations, employment practices and personnel actions affecting an individual's employment status or compensation.

Petitions or Communications, Unfinished Business and New Business

Chair Diane Gutierrez-Scaccetti asked if there were any petitions or communications, unfinished or new business. Mr. Dougherty responded all petitions and communications were mailed prior to the meeting. Further, he stated he has no new business to discuss.

General Comment

Chair Gutierrez-Scaccetti asked the public for any general comments. Michelle Brunetti- Post from the Atlantic City Press spoke stating she did not get a response from her previous comments about not being able to hear Mr. Dougherty speak. Ms. Brunetti-Post then stated if Mr. Dougherty is not speaking directly into the phone at least she knew her request was heard.

Chair Gutierrez-Scaccetti stated her request was heard, and we were not having any trouble hearing people speak but she did not know about other Board Members on the line. Ms. Brunetti-Post responded the Board may be on a different line as it sounds as if Mr. Dougherty is speaking from across the room. Chair Gutierrez-Scaccetti further stated she has heard her request.

Adjournment

There being no further business, Chair Gutierrez-Scaccetti called for a motion to adjourn the meeting. Whereupon, the motion was made by Commissioner McCullough and seconded by Commissioner Hill to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 9:52 a.m.

Submitted by:

Cynthia A. Blasberg, Board Secretary

Note: An Executive Session was held during this meeting.