

SOUTH JERSEY TRANSPORTATION AUTHORITY *(Revised 10/19/21)*
BOARD OF COMMISSIONERS MEETING
OCTOBER 20, 2021
AGENDA

The October 20, 2021 Board of Commissioners Annual Reorganization Meeting will be held at 9:00 a.m. via Teleconference. Opportunity for public participation by telephone will be available by dialing: 1 (800) 346-7359 access code: 492851.

1. Statement of Public Notice
2. Roll Call
3. Approval of the October 20, 2021 Agenda
4. Approval of the September 15, 2021 Meeting Minutes
5. Executive Session
6. Roll Call upon return to Open Session
7. Executive Report
8. Committee Reports
9. Public Response to Agenda Items
10. Presentation and Approval of Bills
11. Resolutions and Motions

RESOLUTIONS TO BE PRESENTED

RESOLUTION 2021-117 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. This resolution seeks Board approval for personnel actions as specified in the "Schedule A" attached to this resolution

RESOLUTION 2021-118 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY APPOINTING FLORIO, PERRUCCI, STEINHARDT, & CAPPELLI OF CHERRY HILL, NJ AS GENERAL COUNSEL, COOPER LEVENSON OF ATLANTIC CITY, NJ AS CO-GENERAL COUNSEL AND BROWN AND CONNERY, LLC. OF WESTMONT, NJ AS SPECIAL COUNSEL FOR THE AUTHORITY

On August 26 and August 27, 2021, the Authority publicly advertised a Request for Proposals for General and/or Special Legal Counsel Services for the Authority. On September 16, 2021, in response to said advertising, five (5) qualified proposals were received. On September 23, 2021, the Consultant Selection Committee (CSC) met to review and rank the proposals and determine if same met all the requirements of the specifications and instructions to proposers. Based on the CSC's evaluation and the recommendation of the CSC Chairman, it is recommended the Authority appoint Florio, Perrucci, Steinhardt, & Cappelli, of Cherry Hill, New Jersey as General Counsel, Cooper Levenson of Atlantic City, New Jersey as Co-General Counsel and Brown & Connery, L.L.P. of Westmont New Jersey as Special Counsel to the Authority. The term of these appointments shall be one (1) year with a one (1) year option to renew at the Authority's discretion. The Director of Business Administration believes it is in the best interest of the Authority and recommends the aforementioned appointments.

~~**RESOLUTION 2021-119 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING A LEASE AGREEMENT WITH SHORE SIGN SERVICE, INC. OF NORTHFIELD, NEW JERSEY FOR OUT-OF-HOME ADVERTISING MANAGEMENT OF CERTAIN BILLBOARDS ALONG THE ATLANTIC CITY EXPRESSWAY**~~

~~On August 26, 2021 and August 27, 2021, the Authority publicly advertised a Request for Proposals ("RFP"), for Out of Home Advertising Management. The Authority sought responses from qualified Out of Home advertising organizations to manage two existing 14' x 48' static, two faced billboards located along the Expressway Right of Way at Milepost 6.15 East (NJDOT Permit #69493) and Milepost~~

~~6.3 East (NJDOT Permit #69492). In response to said advertising, on September 16, 2021 Shore Sign Service, Inc. of Northfield, New Jersey submitted the sole responsive proposal. The Authority's Consultant Selection Committee met on September 23, 2021 and concluded that Shore Sign Service, Inc., met the requirements of the RFP and recommended awarding a contract to Shore Sign Service, Inc. The Authority and Shore Sign Service, Inc. shall agree to enter into a Lease Agreement to defined the terms required for Shore Sign Service, Inc., to manage the two billboards located at Milepost 6.15 East and Milepost 6.3 East. The Authority believes it to be in its best interest and in the interest of the users of the Expressway to enter into a Lease Agreement with Shore Sign Service, Inc.~~

CONFIRMING RESOLUTION 2021-119 AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A LICENSE AGREEMENT BETWEEN THE SOUTH JERSEY TRANSPORTATION AUTHORITY AND LAB Q DIAGNOSTICS, LLC AT THE ATLANTIC CITY INTERNATIONAL AIRPORT FOR A DRIVE-UP COVID-19 TESTING SITE, AS A RESULT OF THE COVID-19 PANDEMIC

Pursuant to Section 7(x), the Authority is authorized to enter into all agreements or contracts convenient or desirable for the purposes of the Authority. 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 exists in the State of New Jersey due to COVID-19. Pursuant to Executive Order 244, Governor Philip Murphy declared the Public Health Emergency declared in Executive Order No. 103 has terminated but the State of Emergency in Executive Order No. 103 continues to exist. Lab Q Diagnostics, LLC is engaged in the business of conducting and performing COVID-19 testing. As a result of the State of Emergency due to COVID, the Authority and Lab Q Diagnostics, LLC identified certain property at the Airport as a suitable location for conducting a drive-up COVID-19 testing site for the residents of the County of Atlantic, Airport travelers, and the South Jersey region for a period of thirty (30) days, subject to an automatic renewal for an additional thirty (30) day periods, unless terminated by either party. The Authority and Lab Q Diagnostics, LLC seek to enter into an Agreement ("License Agreement) for this purpose. Due to the exigency of the circumstances created by COVID-19, the Commissioners of the Authority do hereby confirm the Executive Director's decision to negotiate and enter into a License Agreement, attached hereto as Exhibit A, with Lab Q Diagnostics, LLC for the limited purposes provided herein.

RESOLUTION 2021-120 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO L. FERRIOZZI CONCRETE OF ATLANTIC CITY, NEW JERSEY FOR THE ATLANTIC CITY INTERNATIONAL AIRPORT (ACY) 2021 AMELIA EARHART BOULEVARD SIGN PROJECT

On September 1st and September 2nd, 2021, the Authority publicly advertised for bids for the Atlantic City International Airport (ACY) 2021 Amelia Earhart Boulevard Sign Project. Work associated with this project involves the installation of a new monumental entrance sign at the beginning of Amelia Earhart Boulevard near the Tilton Road Circle, in Egg Harbor Township, NJ. As part of the solicitation, the Authority sought three (3) separate Base Bids as wherein the work limits for each varied and the selection of the base bid is contingent upon available funds:

Base Bid #1: One complete seamless sign unit consisting of .090 aluminum sheet epoxied to 2" aluminum frame sub-structure. Aluminum sub-frame will be welded or clipped to structural steel frame consisting of factory primed tube steel with steel base plates and cast in place anchor bolts. Letters will be surfaced applied painted with acrylic paint and UV rated laminated digital logo decals. Back of sign unit to receive a 24" high x full length aluminum 'access panel' which is face fastened to sub-frame.

Base Bid #2: Same as Base bid 1; however, in lieu of the surface applied letters, provide non-illuminated Acrylic 3/4" Dimensional Letters.

Base Bid #3: Same as Base bid 1; however, in lieu of the surface applied letters and non-illuminated Acrylic 3/4" Dimensional Letters, provide 'push through' internally lit die-cut dimensional letters.

On September 22, 2021 three (3) bids were received, opened and tabulated; to ensure all met the requirements of the Bid Specifications. Following a review of the bids, the Authority deemed that the award of the Base Bid 3 of which limits are indicated above, represented the best value for the Authority. Whereas, L. Ferriozzi Concrete of Atlantic City, New Jersey was deemed the lowest responsive,

responsible bidder in an amount not to exceed \$174,670.00 for the Atlantic City International Airport (ACY) 2021 Amelia Earhart Boulevard Sign Project Base Bid #3. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with L. Ferriozzi Concrete of Atlantic City, New Jersey for the Atlantic City International Airport (ACY) 2021 Amelia Earhart Boulevard Sign Project, Base Bid #3, in an amount not to exceed \$174,670.00.

RESOLUTION 2021-121 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO R. MAXWELL CONSTRUCTION CO., INC. OF PLEASANTVILLE, NEW JERSEY FOR THE ATLANTIC CITY EXPRESSWAY 2021 WEST MAINTENANCE ADDITION PROJECT

On September 1, 2021 and September 2, 2021, the Authority publicly advertised for bids for the Atlantic City Expressway 2021 West Maintenance Addition Project. This project includes the construction of a new +/- 919 SF office, locker room and storage room addition to the existing maintenance building, generally constructed of cast-in-place concrete foundations and slab-on-grade, CFMF walls and roof, metal siding and EPDM roofing. On September 21, 2021, eight (8) bids were received, opened and tabulated with R. Maxwell Construction Co., Inc. of Pleasantville, New Jersey being deemed the lowest responsive, responsible bidder in an amount not to exceed \$476,213.00. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with R. Maxwell Construction Co., Inc. of Pleasantville, New Jersey, for the Atlantic City Expressway 2021 West Maintenance Addition Project in an amount not to exceed \$476,213.00.

RESOLUTION 2021-122 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING A LICENSE TO CROSS TO THE SOUTH JERSEY GAS COMPANY TO REPLACE AND ABANDON EXISTING GAS FACILITIES WITHIN THE ATLANTIC CITY EXPRESSWAY RIGHT OF WAY AT MILEPOST 4.82

The South Jersey Gas Company wishes to abandon an old six-inch Natural Gas Distribution Line at milepost 4.84 and construct a new eight-inch Natural Gas Distribution Line across the Atlantic City Expressway at milepost 4.82. It is in the best interest of the Authority to protect its facilities via a License to Cross for permanent installations such as utility crossing and for temporary impacts, such as construction easements. The South Jersey Gas Company has proposed that the Authority allow construction of a new underground crossing. South Jersey Gas Company will pay all costs as outlined in the License to Cross agreement. The Director of Engineering recommends authorizing a License to Cross to the South Jersey Gas Company to construct a natural gas distribution line beneath the Atlantic City Expressway right-of-way.

RESOLUTION 2021-123 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING CONTINUED NEGOTIATIONS UNTIL DECEMBER 30, 2021 WITH U.S. FACILITIES, INC., OF PHILADELPHIA, PENNSYLVANIA, FOR AIRPORT MAINTENANCE AND JANITORIAL SERVICES AT THE ATLANTIC CITY INTERNATIONAL AIRPORT

The Authority is responsible for the operation, maintenance, improvement and promotion of the Airport. U.S. Facilities, Inc., of Philadelphia, Pennsylvania, and the Authority entered into a contract on October 1, 2016, for U.S. Facilities, Inc. to perform maintenance and janitorial services at the Airport (the "Janitorial Contract"). The Janitorial Contract is due to expire on September 30, 2021. Pursuant to Authority Resolution 2021-90, U.S. Facilities, Inc., after receiving multiple Requests for Proposal, was deemed the highest ranked and most qualified proposer to provide such maintenance and janitorial services, and the Commissioners of the Authority authorized the Executive Director to enter into negotiations and subsequent agreement with U.S. Facilities, Inc. for Airport maintenance and janitorial services at the Atlantic City International Airport for the period commencing October 1, 2021. The Authority and U.S. Facilities, Inc. continue to negotiate a new contract pursuant to Resolution 2021-90 and the parties agree to continue negotiations until no later than December 30, 2021. In order to continue the maintenance and janitorial services at the Airport during such continued negotiations between the Authority and U.S. Facilities, Inc., U.S. Facilities, Inc. and the Authority believe it is in the best interest of the Authority and the public to extend the Janitorial Contract until the sooner of December 30, 2021 or

such time as either a new contract is executed with U.S. Facilities, Inc. or the Authority terminates negotiations for such new contract.

RESOLUTION 2021-124 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AMENDED OR AMENDMENTS TO THE GROUND LEASE WITH FRESH AIR LOGISTICS, LLC, OF HAMMONTON, NEW JERSEY, AT THE ATLANTIC CITY INTERNATIONAL AIRPORT FOR THE DEVELOPMENT OF A STORAGE FACILITY

The Airport includes real property owned by the Authority and/or leased by the Authority from the Department of Transportation Federal Aviation Administration (“FAA”) that has been identified as developable property in the Atlantic City International Airport’s FAA Approved Master Plan. Fresh Air Logistics LLC (“FAL”), a limited liability company of the State of New Jersey, which is based in Hammonton, New Jersey, has entered into an Agreement to Enter into Ground Sub-Lease – Storage Facility with the Authority on December 21, 2020 in order to determine and obtain approvals for the construction of the Storage Facility at the Airport. During its Due Diligence, FAL has learned that the experimental VORTAC exclusion area has a radius of 1,000 feet (a diameter of 2,000 feet) instead of a radius of 500 feet (a diameter of 1,000 feet) as it was thought, which such deviation has a significant impact on the Leased Premises (as defined in the Agreement) as proposed within the Agreement. FAL and the Authority are in the process of determining if the experimental VORTAC will be left in place, relocated to a new location at the Airport or incorporated into the Airport’s operational vortac. The Airport Director believes that as this issue is further understood and determined, FAL and the Authority will be in better position to determine the next steps and that such resolution or next steps may take the form of either an amendment or amendments to the Agreement, including extension or extensions to the Due Diligence Period and allowing for such amendment or amendments is in the best interests of the Authority and the public it serves.

RESOLUTION 2021-125 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AMENDED OR AMENDMENTS TO THE GROUND LEASE WITH FRESH AIR LOGISTICS, LLC, OF HAMMONTON, NEW JERSEY, AT THE ATLANTIC CITY INTERNATIONAL AIRPORT FOR THE DEVELOPMENT OF A CARGO FACILITY

The Airport includes real property owned by the Authority and/or leased by the Authority from the Department of Transportation Federal Aviation Administration (“FAA”) that has been identified as developable property in the Atlantic City International Airport’s FAA Approved Master Plan. Fresh Air Logistics LLC (“FAL”), a limited liability company of the State of New Jersey, which is based in Hammonton, New Jersey, has entered into an Agreement to Enter into Ground Sub-Lease – Cargo Facility with the Authority on December 21, 2020 in order to determine and obtain approvals for the construction of the cargo facility at the Airport. During its Due Diligence, FAL has learned that the experimental VORTAC exclusion area has a radius of 1,000 feet (a diameter of 2,000 feet) instead of a radius of 500 feet (a diameter of 1,000 feet) as it was thought, which such deviation has a significant impact on the Leased Premises (as defined in the Agreement) as proposed within the Agreement. FAL and the Authority are in the process of determining if the experimental VORTAC will be left in place, relocated to a new location at the Airport or incorporated into the Airport’s operational vortac. The Airport Director believes that as this issue is further understood and determined, FAL and the Authority will be in better position to determine the next steps and that such resolution or next steps may take the form of either an amendment or amendments to the Agreement, including extension or extensions to the Due Diligence Period and allowing for such amendment or amendments is in the best interests of the Authority and the public it serves.

12. Petitions and Communications, Unfinished Business, New Business
13. General Comment
14. Time and Place of Next Meeting: The next regularly scheduled Board meeting will be held on **Wednesday, November 17, 2021 at 9:00 a.m. via teleconference.**

ADJOURNMENT