

# **SOUTH JERSEY PORT CORPORATION**



## **BOARD OF DIRECTORS MEETING JANUARY 28, 2014**

### **THE CHAIRMAN COMMENCES MEETING WITH PLEDGE OF ALLEGIANCE AND ROLL CALL:**

- 1. APPROVAL OF MINUTES**  
Regular Meeting December 3, 2013  
Closed Meeting December 3, 2013
- 2. APPROVAL OF OPERATING BILLS**  
**RESOLUTION 2014-1-0001**
- 3. APPROVAL OF ADVANCE PAYMENT BILL LIST**  
**RESOLUTION 2014-1-0002**
- 4. APPROVAL OF CREDITS**  
**RESOLUTION 2014-1-0003**
- 5. APPROVAL OF CHANGE ORDERS – 1**  
**RESOLUTION 2014-1-004**
- 6. APPROVAL OF CONSTRUCTION FUND REQUISITIONS**  
**RESOLUTION 2014-1-0005**
- 7. RECEIPT OF TREASURER’S REPORT**
- 8. RECEIPT OF COUNSEL’S REPORT**
- 9. RECEIPT OF EXECUTIVE DIRECTOR’S REPORT**



**10. ADDITIONAL AGENDA ITEMS REQUIRING BOARD ACTION**

- A. RESOLUTION 2014-1-0006: 2014 RATE STUDY**
- B. RESOLUTION 2014-1-0007: 2014 STATE PENSION LIABILITY**
- C. RESOLUTION 2014-1-0008: 2014 SELECTION OF PRE-QUALIFIED ENGINEERS**
- D. RESOLUTION 2014-1-0009: AWARD OF PROFESSIONAL ENGINEER SERVICES CONTRACT – BROADWAY TERMINAL “E” BUILDING WALL PROJECT**
- E. RESOLUTION 2014-1-00010: AWARD OF PROFESIONAL ENGINEER SERVICES CONTRACT – BROADWAY TERMINAL PIER 1 REPAIR PROJECT**
- F. RESOLUTION 2014-1-0011: CAMDEN COGEN LEASE RENEWAL**
- G. RESOLUTION 2014-1-0012: DELAWARE SHIP SUPPLY LEASE RENEWAL**
- H. RESOLUTION 2014-1-0013: APPROVAL OF MEMORANDUM OF UNDERSTANDING FOR THE PORT TRAINING CONSORTIUM**
- I. RESOLUTION 2014-1-0014: MARINE TERMINAL OPERATOR GENERAL LIABILITY, COMMERCIAL AUTOMOBILE, HULL & MACHINERY PROTECTION AND IDEMNITY, POLLUTION LIABILITY AND PUBLIC OFFICIALS AND EMPLOYMENT PRACTICES LIABILITY INSURANCE POLICY RENEWALS**
- J. RESOLUTION 2014-1-0015: HEALTH CARE BENEFITS**

**11. SUPPLEMENTAL BOARD INFORMATION**

- K. MARKETING COMMITTEE REPORT & PHOENIX/ARTLIP COMMUNICATIONS REPORT**
- L. PORT SECURITY UPDATE**
- M. PAULSBORO MARINE TERMINAL PROJECT UPDATES**

PUBLIC SESSION FOR QUESTIONS / COMMENTS

**12. CLOSED SESSION AND/OR ADJOURNMENT**



**ACTION ITEM:**

**A. RESOLUTION 2014-1-0006: 2014 RATE STUDY**

As required by our Bond Covenants dated June 5, 1985 and on an annual basis the South Jersey Port Corporation is required to “ An Evaluation of Rates, Rents, Fees, and Charges currently in effect at our Marine Terminals and compare them to our competitors in the region. Staff received the attached proposal from S. T. Hudson to prepare the 2014 Rate Study at a cost not to exceed \$5,600.00.

**RECOMMENDATION:**

Staff recommends Board approval of the proposal from S.T. Hudson.



**ACTION ITEM:**

**B. RESOLUTION 2014-1 -0007: 2014 STATE PENSION LIABILITY**

Staff presents the Employer’s Liability Annual Pension Contribution Invoice for the Public Employee’s Retirement System (PERS) for calendar year 2014. The total amount of \$627,812 is due on April 1, 2014. The total amount due includes the Employer’s Contribution for 2014 and early retirement costs. The plan is summarized below.

**Normal Costs** represents the present value of benefits that have accrued on behalf of the members during the valuation year. The employers’ contribution covers not only the basic pension allowance it also covers the future cost-of-living adjustment along with the premium for group life insurance.

**Normal Contribution** **\$ 142,340.00**

**Employer Accrued Liability** and/or Pension system unfunded actuarial liability contribution consists of the employer’s share of the pension system total unfunded actuarial liability amortized over time (30 to 40 years). **The unfunded actuarial liability of a retirement system is the excess of the system’s actuarial liability over the value of its assets.**

**Accrued Liability** **\$ 385,595.00**

**Non-Contributory Group Life Insurance** **\$ 8,049.00**

**Accrued Liability-Early Retirement Incentive-ERI-3:** The State of New Jersey Division Pension and Benefits prepared the Schedule of payments for the Early Retirement Incentive.

**Accrued Liability-Early Retirement Incentive-ERI-3:** **\$ 91,828.00**

**Total Amount Due all Categories** **\$ 627,812.00**

**RECOMMENDATION:**

Staff Recommends approval by the Board for the 2014 Pension Liability as presented.

	<u>2013</u>	<u>2014</u>	<u>Variance</u>
<b>Normal Contribution</b>	\$ 131,264.00-	\$ 142,340.00 =	\$ 11,076.00
<b>Accrued Liability</b>	\$ 313,855.00-	\$ 385,595.00 =	\$ 71,740.00
<b>Non-Contributory Group Life Insurance</b>	\$ 26,492.00-	\$ 8,049.00 =	(\$18,443.00)
<b>Accrued Liability- ERI</b>	\$ 87,522.00-	\$ 91,828.00 =	<u>\$4,306.00</u>
<b>Total Amount Due all Categories</b>	\$ 559,133.00-	<b>\$ 627,812.00 =</b>	\$68,679.00



**ACTION ITEM:**

**C. RESOLUTION 2014-1-0008: SELECTION OF PREQUALIFIED ENGINEERING FIRMS**

Staff advertised the Request for Qualifications for Engineering Services in five different categories, including Marine Engine, Civil Engineer, Construction Management, Geo-Technical, and Certified Diver. The current select of pre-qualified engineering firms, that carried a three-year term, expires on February 28, 2014. Qualification packages were due on Tuesday, January 14, 2014. We received 66 qualification packages in total. 13 for Marine Engineer, 19 for Civil Engineer, 19 for Construction Management, 6 for Certified Divers and 9 for Geo-Technical Services.

The Board Review Committee is evaluating the qualifications and will present a recommendation to the Board approve the slate of pre-qualified firms for a term of three years in each of the five disciplines. Every year staff will issue an RFQ to allow for any new firms to be considered. Firms selected on the pre-qualified list are eligible to participate in future requests for proposals to perform engineering services as required.

**RECOMMENDATION:**

The Board Review Committee will present their recommendation for the selection of pre-qualified engineering firms.



**ACTION ITEM:**

**D. RESOLUTION 2014-1-0009: AWARD OF PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE BROADWAY TERMINAL “E” BUILDING WALL PROJECT**

The staff contacted all of our pre-qualified Civil Engineers for the project involving the partial removal and replacement of the Southwest wall of Broadway Terminal’s E-Building. The staff made adjustments to the initial quote request. The following quotes were received.

<u>Company</u>	<u>Lump Sum</u>	<u># of Port Visits</u>
LSEA Montville, NJ	\$19,290.00	7
Maser Consultants Red Bank, NJ	\$27,900.00	6
French & Parrello Wall, NJ	\$32,900.00	10
T&M Associates Moorestown, NJ	\$33,500.00	9
S.T. Hudson Camden, NJ	\$54,000.00	15
CH2M Hill Philadelphia, PA	\$62,000.00	18
PS&S Warren, NJ	\$88,000.00	16

**RECOMMENDATION:**

Staff requests that the Board award this contract to the lowest bidder, LSEA, for \$19,290.00 on the condition that we interview them to confirm they fully understand their requirements. If LSEA can’t perform the requirements of the contract, the staff would like the Boards pre-approval to award this contract to Maser Consultants, the second lowest bidder for the amount of \$27,900.00.



**ACTION ITEM:**

**E. RESOLUTION 2014-1-0010: AWARD OF PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE BROADWAY PIER 1 REPAIR PROJECT**

The staff contacted all of our pre-qualified Marine Engineers for the project involving the design of repairs and replacement of pilings at Broadway Terminal's Pier 1. The staff received responses from the following firms.

<u>Company</u>	<u>Lump Sum</u>	<u># of Port Visits</u>
S.T. Hudson Camden, NJ	\$65,000.00	15
Moffatt & Nichol Baltimore, MD	\$116,250.00	10
Boswell Engineering South Hackensack, NJ	\$127,351.00	10
CH2M Hill Philadelphia, PA	\$260,600.00	46

The lowest, responsive proposal is from S.T. Hudson for the amount of \$65,000.00.

**RECOMMENDATION:**

Staff recommends Board awarding the contract to S.T. Hudson in the amount of \$65,000.00.



**ACTION ITEM:**

**F. RESOLUTION 2014-1-0011: CAMDEN COGEN LEASE RENEWAL**

The above tenant wishes to renew their lease for 5000 square feet of storage space located in F Building at Broadway Terminal. Their current one-year lease expires on February 28, 2014, which had an annual rate of \$12, 768.00 (\$2.55/per square foot). Their new annual rate will be \$12,960.00 (\$2.59/per square foot)

**RECOMMENDATION:**

Staff recommends approval of the lease renewal.





**ACTION ITEM:**

**G. RESOLUTION 2014-1-0012: DELAWARE SHIP SUPPLY LEASE RENEWAL**

The above tenant wishes to exercise their five-year option starting March 1, 2014. Their lease is for 27,500 square feet in J-Building. The current rental rate is \$104,316.00 per year (\$3.79 per square foot). CPI increases will be applied on an annual basis. Effective March 1, 2014, the annual rate will increase to \$105,876.00 (\$3.85/per square foot).

**RECOMMENDATION:**

Staff recommends approval of the lease renewal.



**ACTION ITEM:**

**H. RESOLUTION 2014-1-0013: APPROVAL OF THE MEMORANDUM OF UNDERSTANDING FOR THE PORT TRAINING CONSORTIUM**

Staff is requesting Board approval of a Memorandum of Understanding regarding the formation of a Port Training Consortium. The South Jersey Port Corporation, along with port partners including Delaware River Stevedores, Camden Iron and Metal and Holt Logistics, with the assistance of the Camden County Workforce Investment Board and the Collegiate Consortium are forming a consortium for the purpose of collaboration in developing a workforce strategy for the region to make South Jersey Ports more competitive through education, training and development for their organizations and for the region.

The Consortium will cooperate in activities such as applying for customized training grants through the New Jersey Department of Labor and Workforce Development, and other state and federal grant opportunities. Camden County Workforce Investment Board, Camden County College and The Collegiate Consortium will provide technical assistance and the training for any training grant associated with this initiative. Camden County College has the proven track record of delivering customized training programs and has worked with the WIB successfully for many years. The Collegiate Consortium has been delivering maritime based training for the US Navy, Aker Philadelphia Shipbuilding and other maritime companies in the Navy Yard for more than a decade.

A Memorandum of Understanding has been developed to outline the focus of the Port Training Consortium. SJPC's General Counsel has reviewed the MOU. Funding is to be provided through grants. SJPC is not providing funding for the Port Training Consortium.

**RECOMMENDATION:**

Staff recommends Board approval of the Memorandum of Understanding between the Collegiate Consortium, Camden County Workforce Investment Board, DRS, CIM, Holt and SJPC for the purpose of forming a Port Training Consortium.



**ACTION ITEM:**

**I. RESOLUTION 2014-1-0014: MARINE TERMINAL OPERATOR GENERAL LIABILITY, COMMERCIAL AUTOMOBILE, HULL & MACHINERY PROTECTION AND IDEMNTY, POLLUTION LIABILITY AND PUBLIC OFFICIALS AND EMPLOYMENT PRACTICES LIABILITY INSURANCE POLICY RENEWALS**

South Jersey Port Corporation's Marine Terminal Operators General Liability / Bumbershoot Liability, Commercial Automobile, Hull & Machinery/Protection and Indemnity (P&I) - 1959 Spud Barge, Pollution Liability - 1959 Spud Barge and Public Officials and Employment Practices Liability renew on 03/01/2014.

**Marine Terminal Operators General Liability / Bumbershoot Liability:** Your current (3/1/2013 – 3/1/2014) Marine Terminal Operators General Liability / Bumbershoot Liability program provides a \$21,000,000 Occurrence / \$21,000,000 General Aggregate Limit through National Union Fire Insurance Company of Pittsburgh, PA (\$1,000,000 Per Occurrence / \$2,000,000 Aggregate Limit), Aspen American Insurance Company (\$4,000,000 Occurrence / \$4,000,000 General Aggregate Limit excess of \$1,000,000/ \$2,000,000 Underlying), Navigators Insurance Company (\$9,600,000 part of \$16,000,000 Limit excess of \$5,000,000 Underlying), and XL Specialty Insurance Company (\$6,400,000 part of \$16,000,000 Limit excess of \$5,000,000 Underlying). The total expiring premium is \$298,715 (including TRIA and New Jersey surcharges) based on Gross Receipts of \$18,688,816. For the 3/1/2014 – 3/1/2015 policy term, the South Jersey Port Corporation provided a Gross Receipts estimate of \$20,703,723. The premium using last year's rates, but adjusted for the increase in Gross Receipts would be \$331,008. Conner Strong & Buckelew negotiated a renewal cost of \$320,978, which represents a rate decrease of approximately 3%. The coverages, terms, and conditions are the same as expiring except as described in our proposal. Conner Strong & Buckelew pursued other insurance carriers on your behalf, but they could not match the program offered by your incumbent insurance carriers. Conner Strong & Buckelew recommends that South Jersey Port Corporation renew their Marine Terminal Operators General Liability / Bumbershoot Liability program with National Union Fire Insurance Company of Pittsburgh, PA, Aspen American Insurance Company, Navigators Insurance Company, and XL Specialty Insurance Company.

**Commercial Automobile:** Your current program with Chubb Insurance Company of NJ provides a \$1,000,000 Combined Single Limit. The adjusted expiring premium is \$99,654 (including NJ surcharges). Chubb's renewal quote for the 3/1/2014 – 3/1/2015 policy term is \$105,132 (including NJ surcharges). We approached several other insurance companies including National Union Fire Insurance Company of Pittsburgh, PA (AIG), CNA, and Travelers; however, Chubb continues to provide the most competitive program. Conner Strong & Buckelew recommends that South Jersey Port Corporation renew with Chubb Insurance Company of NJ.

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**Hull & Machinery/Protection and Indemnity (P&I) - 1959 Spud Barge:** Your current program with National Union Fire Insurance Company of Pittsburgh, PA (AIG) provides a \$1,000,000 P&I limit and a Hull value of \$200,000. The expiring premium is \$6,300 (including NJ surcharges). AIG has offered a renewal quote for the 3/1/2014 – 3/1/2015 policy term with same terms and conditions as expiring for the same premium of \$6,300 (including NJ surcharges). Please note that this coverage is specifically for your 1959 Spud Barge. Conner Strong & Buckelew recommends that South Jersey Port Corporation renew the coverage with AIG.

**Pollution Liability - 1959 Spud Barge:** Your current program with Water Quality Insurance Syndicate (WQIS) provides a \$5,000,000 Limit for a discharge of oil or hazardous substance. The expiring premium is \$2,177 (including NJ surcharges). WQIS' renewal quote for the 3/1/2014 – 3/1/2015 policy term is remaining at \$2,177 (including NJ surcharges). Please note that this coverage is specifically for your 1959 Spud Barge. Conner Strong & Buckelew recommends that South Jersey Port Corporation renew with the Water Quality Insurance Syndicate (WQIS).

**Public Officials Liability and Employment Practices Liability Insurance:** Your current program with Hiscox Insurance Company provides a \$5,000,000 Limit for Public Officials and Employment Practices claims. The expiring premium is \$56,491 (including NJ surcharges). Hiscox's renewal quote for the 3/1/2014 – 3/1/2015 policy term is \$57,173 (including NJ surcharges). We approached several other insurance companies including ACE American Insurance Company, National Union Fire Insurance Company of Pittsburgh, PA (AIG), Ironshore Specialty Insurance Company, Darwin National Assurance Company, and RSUI Indemnity Company; however, Hiscox continues to provide the best program. Conner Strong & Buckelew recommends that South Jersey Port Corporation renew with Hiscox.

**STAFF RECOMMENDATIONS:**

Staff recommends Board consideration of the Conner Strong & Buckelew recommendations for insurance policy renewals.



**ACTION ITEM:**

**J. RESOLUTION 2014-1-0015: HEALTH CARE BENEFITS**

Conner Strong & Buckelew will provide recommendation for an additional component necessary for the migration to the State Health Care Benefits program.

**RECOMMENDATION:**

Staff recommends Board consideration of Conner Strong & Buckelew recommendation.



**INFORMATION ITEM:**

**K. MARKETING COMMITTEE REPORT & PHOENIX/ARTLIP COMMUNICATIONS REPORT**

PHOENIX STRATEGIES/ARTLIP COMMUNICATIONS REPORT ATTACHED.



## **INFORMATION ITEM:**

### **L. SECURITY UPDATE**

The security update is prepared by Mr. Jay Jones.

**FEMA PREPAREDNESS & PROGRAM MANAGEMENT TECHNICAL ASSISTANCE PROGRAM:** As reported previously, SJPC has submitted three applications through the NJ Office of Homeland Security & Preparedness (OHSP) for a FEMA Technical Assistance Grant. The U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), National Preparedness Directorate (NPD) and Grant Programs Directorate (GPD), Technical Assistance (TA) Program seeks to build and sustain capabilities through specific services and analytical capacities across two primary functional areas: 1) Preparedness TA activities in support of the four homeland security mission areas (prevention, protection, response, and recovery) and 2) Homeland security program management.

SJPC is seeking technical assistance to enhance our planning and documentation for the following three areas: 1) Emergency Operations Plan, 2) Continuity of Operations Plan and 3) Evacuation Plan. The NJOHSP approved the applications at the state level and forwarded the applications to FEMA. On January 14, 2014, we received notification from FEMA to schedule scoping call to fully define the tasks for each of the applications. The scoping call is tentatively scheduled for the January 22<sup>nd</sup>.

The program is fully funded and requires no match from the participating agency. The vendor is selected through the program and has been pre-qualified by FEMA and the NJOHSP. Each plan development needs to be completed by the end of March 2014.

**USCG SECURITY DELAWARE BAY – 2013 Annual Report to Congress Development:** Each year, US Coast Guard Headquarters requires USCG Sector Delaware Bay to report the Port Security Issues, security-related training and exercise information, conducted by federal, state, local, and industry port partners. In turn, this information is reported directly to Congress. This important information helps Congress, in part, to assess our port's level of maritime preparedness. Mr. Jones is participating in preparing information on training, countermeasures and port security issues to be included in the 2013 AMSC Annual Report Countermeasures, Port Security Issues, MOU/MOAs, and Training. The deadline for information is January 27, 2014.

**NJDEP – BIOWATCH PROGRAM:** NJDEP has reached out to SJPC to host one of their DHS BioWatch sensors. First announced in 2003, BioWatch is the nation's first early detection and warning capability for biological attacks. DHS partners with public health laboratories, which are members of the Centers for Disease Control and Prevention's (CDC) Laboratory Response Network, to conduct rapid analysis and provide information and expertise to governors and local emergency officials when a pathogen is detected in order to determine whether it indicates a potential biological attack. A memorandum of Understanding will be developed for General Counsel's review.



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**INFORMATION ITEM:**

**M. PAULSBORO MARINE TERMINAL PROJECT UPDATES**

The Paulsboro Marine Terminal Project updates are provided by Mr. Marlin Peterson, Gloucester County Improvement Authority.

**CHANGE ORDERS**

**PMT-006 Tidal Wetland Mitigation Project: Change Order No. 004 to AP Construction Contract for (\$78,633.04).** Change Order No. 004 is required to provide a credit in the amount of \$78,633.04 to reimburse the GCIA and thereby the SJPC for the insurance costs associated with the Owner Controlled Insurance Program (OCIP). As indicated in the attached Change Order No. 004 dated December 20, 2013 for PMT-006 Construction Contract, which was prepared by the GCIA's Construction Manager, the OCIP credit value is derived by an interim audit of reported payrolls and the current PMT-006 contract value. The Paulsboro Marine Terminal's OCIP was placed directly by the SJPC and is funded by the 2009 Series P Bond. As a result of this Change Order No. 004, AP Construction's revised contract value is decreased as follows: ( $\$3,451,042.86 - \$78,633.04 = \$3,372,409.82$ ).

**PMT-009 Import Fill & Select Utilities: Change Order No. 003 to AP Construction Contract for \$35,956.66.** Change Order No. 03 includes 4 miscellaneous work items; 3 of which include additional cost and one deduct. To accommodate the removal and replacement of rail track serving the terminal while the rail siding remains active and in-use by Conrail, a new rail stop is required at the end of the active track. The rail stop is a safety measure to ensure cars do not accidentally derail. The cost of the new rail stop is \$10,792.00. Item no. 2 pertains to the removal of phragmites, a highly invasive plant species, from the permit required tree mitigation area identified as PA-2 (Planting Area – 2). The removal of the invasive species in advance of conducting the bid for tree planting is to enhance the likelihood of tree survivability as well as to increase the number of prospective bidders interested in the tree planting contract. The cost of removing and spraying approximately 6 acres with herbicide is \$20,113. Item 3 pertains to an on-site, design change that removes a butt joint between two 60" storm water pipes and replaces the joint with a direct pipe tie into the existing manhole. This change is required to improve the long term effectiveness of the storm water discharge line in a location that is close to a Delaware River outfall (high volume) and directly below a high traffic portion of the terminal. The cost of the new pipe connection is \$6,500. The one deduct line item is -\$1,448 and results from a slight shift in the rail layout that enabled the removal of one storm water manhole. As a result of this Change Order No. 03, AP Construction's revised Contract value is increased as follows: ( $\$3,884,318.23 + \$35,956.66 = \$3,920,274.89$ ). The cost of this work will be charged to GCIA budget P-95 Marine Terminal, which is funded by SJPC 2009 Series P Bond.

**Change Order No. 10 for CH2MHILL - Final Design & Project Management:** Continuing RDL Services (Jan – Mar 2014) - \$19,000; Borough of Paulsboro Water & Sewer (Escrow) Compliance Reviews & Inspection - \$8,000; Preparation of Modified PMT-008M Phase I Wharf Construction Bid Documents - \$30,000. The 3 month RDL part-time extension mirrors the



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recent 3-month CM extension and enables continuity for addressing unforeseen site conditions and contractor alternatives. The water and sewer escrow funds 3<sup>rd</sup> party services (i.e. Borough engineer) that review / approve applications and provide oversight of water main and sanitary sewer connection construction. The preparation of modified PMT-008M wharf bid documents pertains to (i) a re-bid in late 2012; (ii) a planned re-bid in Jan/Mar 2014 and (iii) integration of rail trestle and federal procurement regulations within the bid documents.

### **CONSTRUCTION UPDATE**

**PMT-003:** Substantial completion was achieved December 20, 2013. Energizing roadway lighting, removing false work (e.g. overhand brackets), completing fender bolt-up, preparing bridge for final surface grooving & sealing and other miscellaneous items continue. See the Project Monthly Report for further details.

**PMT-005:** Well extension work continued following the placement of fill and surcharge material along the linear esplanade and remaining terminal footprint. This work is scheduled to complete in the spring of 2014 once the existing surcharge has been relocated and remaining wells can be lowered.

**PMT-006:** The project is substantially complete. Final surveys and project close-out continue.

**PMT-008TP:** Driving of 1<sup>st</sup> test pile commenced December 11 and completed December 20, 2013. False work for Test Piles 2 and 3 have been installed. Preparations continue for test pile driving during weeks of January 23<sup>rd</sup> and 30<sup>th</sup>, 2014.

**PMT-009:** Select demolition, storm water pipe and electrical ductbank installation continue. In addition, sanitary sewer piping and connections to Borough network continue for Administration Building and GWTP. Monitoring of surcharge indicate that primary settlement continues. Site stabilization of linear berm / esplanade was completed for winter months. Fill material hauling is approximately 96% complete. Fill material hauling and placement will resume in Spring 2014 following southern surcharge relocation activities.

**PMT-S01:** Perimeter landscaping and lawn maintenance for the Paulsboro Marine terminal has completed for 2013. A new landscaping and lawn maintenance contract will need to be conducted for years 2014 and 2015.

### **PROCUREMENT UPDATE**

**PMT-008: Wharf Construction.** On March 25, 2013, all bids received as part of the Wharf Construction project were rejected. Bid documents for PMT-008M Modified Phase I Wharf Construction project have been prepared and reviewed by the Office of State Comptroller. In response to the award of Amendment No. 01 for the TIGER III grant, the upriver rail trestle has been integrated within the PMT-008M project. Final review of the wharf construction project is underway. Re-advertisement is scheduled for late January 2014 following availability of the PMT-008TP Test Pile Report.

**PMT-015: Woodland Habitat Mitigation.** The Woodland Habitat Mitigation (i.e. tree planting) contract was advertised on August 19, 2012. No bids were received by the due date of

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September 13, 2012. The team expects to commence the rebid of this contract in early 2014 following removal of existing phragmites from the PA-1 and PA-2 sites.

PMT-010: Terminal Civil Works. Based on available funding and the construction schedule, the balance of phase I civil works has been rescheduled such that public advertisement is targeted for the 2<sup>nd</sup> quarter of 2014. This contract is expected to follow after the completion of the PMT-009 fill material hauling activities.

PMT-E01: Material Handling - Mobile Harbor / STS Crane. Based on available funding and construction schedule, the mobile harbor or STS crane procurement has been targeted for public advertisement late in the 2<sup>nd</sup> quarter of 2014, in order to coincide with the completion of the wharf construction implementation schedule.

Refer to the enclosed Paulsboro Marine Terminal & Access Road and Bridge November and December 2013 Monthly Progress Reports, which include an Executive Summary, Critical Issues Identification, Construction Activities Update, OCIP, Project Budget Summary, Project Schedule, Construction Photographs and Submittal Logs for further details.

### **ACCOUNTING RECONCILIATION**

A 3<sup>rd</sup> Quarter 2013 accounting reconciliation meeting between representatives of the GCIA and SJPC occurred on October 25, 2013. Based on the results of this meeting, no outstanding or unresolved accounting issues have been identified. A 4<sup>th</sup> quarter 2013 reconciliation meeting will be scheduled for February 2014.



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## **MATTERS INVOLVING LITIGATION, PERSONNEL & SPECIAL MATTERS**

The subject matter is covered by one or more of the following legal exemptions:

- Matters made confidential by state, federal law or rule by court.
- Disclosure would result in an unwarranted invasion of individual privacy, unless the person affected consents in writing.
- Disclosure would impair the body's right to receive federal or state funds.
- Collective bargaining.
- Lease or acquisition of property, setting of banking rates, investment of public funds if disclosure would harm the public interest.
- Investigations into violations of law.
- Strategies to protect public security.
- Pending, ongoing or anticipated litigation or contract negotiation, including attorney-client privilege. The threat of litigation must be more than theoretical for this exemption to apply.
- Personnel matters affecting employees of the public bodies, unless all parties request or consent to a public hearing. Prior to discussion of personnel, affected employees must be given notice, known as a Rice notice, which gives the employee the right to request a public hearing.
- Proceedings that could result in a suspension, civil penalty, or loss of a license or permit.

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### **1. COUNSEL'S REPORT**

### **2. PERSONNEL:**

#### **a. UNION PETITION / PERC**

### **2. PAULSBORO MARINE TERMINAL**

#### **a. Paulsboro Marine Terminal - PMT-004: Differing Site Condition (DSC) Claim**

#### **b. Paulsboro Marine Terminal & Access Road and Bridge - PMT-003: GCIA v. GRD Condemnation Matter - Property Valuation**

### **3. HOLTEC**

### **4. CARGO LOSS**

### **5. BROADWAY TERMINAL – SPRINKLER SYSTEM ISSUE**

### **6. HEALTH CARE BENEFITS**