

SOUTH JERSEY PORT CORPORATION



BOARD OF DIRECTORS MEETING JANUARY 30, 2018

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

- 1. APPROVAL OF MINUTES**
Regular Meeting December 12, 2017
Closed Meeting December 12, 2017
Regular Special Meeting December 27, 2017
Closed Session Meeting December 27, 2017
- 2. APPROVAL OF OPERATING BILLS**
RESOLUTION 2018-1-0001
- 3. APPROVAL OF ADVANCE PAYMENT BILL LIST**
RESOLUTION 2018-1-0002
- 4. APPROVAL OF CREDITS**
RESOLUTION 2018-1-0003
- 5. APPROVAL OF CHANGE ORDERS - None**
- 6. APPROVAL OF CONSTRUCTION FUND REQUISITIONS**
RESOLUTION 2018-1-0004
- 7. RECEIPT OF TREASURER'S REPORT**
- 8. RECEIPT OF COUNSEL'S REPORT**
- 9. RECEIPT OF EXECUTIVE DIRECTOR'S REPORT**

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10. ADDITIONAL AGENDA ITEMS REQUIRING BOARD ACTION

- A. RESOLUTION 2018-1-0005:** APPROVAL OF QUALIFIED ENGINEERING FIRMS FOR MARINE, CIVIL, CONSTRUCTION MANAGEMENT, GEO TECH, AND CERTIFIED DIVERS
- B. RESOLUTION 2018-1-0006:** **TABLED** (Professional Services Option)
- C. RESOLUTION 2018-1-0007:** APPROVAL OF LEASE RENEWAL WITH CAMDEN PLANT HOLDING, LLC.
- D. RESOLUTION 2018-1-0008:** 2018 PENSION LIABILITY
- E. RESOLUTION 2018-1-0009:** AUTHORIZATION TO RELEASE REQUEST FOR PROPOSALS FOR EQUIPMENT LEASE PURCHASE FOR CARGO HANDLING EQUIPMENT
- F. RESOLUTION 2018-1-0010:** DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR EEO CONTRACT COMPLIANCE
- G. RESOLUTION 2018-1-0011:** AUTHORIZATION TO REQUEST QUOTATIONS FROM PRE-QUALIFIED ENGINEERS FOR DESIGN/CM SERVICES FOR THE NEWTON CREEK BRIDGE REPAIR PROJECT
- H. RESOLUTION 2018-1-0012:** INSURANCE RENEWALS – GENERAL LIABILITY, COMMERCIAL AUTO, HULL & MACHINERY, POLLUTION LIABILITY – BARGE, AND PUBLIC OFFICIALS LIABILITY / EMPLOYMENT PRACTICES LIABILITY
- L. RESOLUTION 2018-1-0013:** PERSONNEL

11. SUPPLEMENTAL BOARD INFORMATION

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

PUBLIC SESSION FOR QUESTIONS / COMMENTS

12. CLOSED SESSION AND/OR ADJOURNMENT



ACTION ITEM:

A. RESOLUTION 2018-1-0005: APPROVAL OF QUALIFIED ENGINEERING FIRMS FOR MARINE, CIVIL, CONSTRUCTION MANAGEMENT, GEO TECH, AND CERTIFIED DIVERS

Pursuant to the Board’s authorization, staff released a Request for Qualifications (RFQ) for Engineering Services for each of the categories of *Civil Engineer; Certified Diver; Construction Management; Geo-technical Services; and Marine Engineer*. The RFQ seeks qualification proposals from qualified engineering firms, in accordance with the terms, conditions, and specifications contained in the RFQ, to be considered pre-qualified for the opportunity to submit cost proposals for future projects. The qualification carries a term of two (2) years, commencing on March 1, 2018 and expiring on February 28, 2020.

The Board Review Committee will evaluate the qualification proposals and will present recommendation to add firms to be added to 59 firms currently pre-qualified for the initial term of three years awarded last year. Each year during the three year term, the Board will consider additional engineering firms to the qualified list for the remaining term through the RFQ process. The deadline to submit qualifications was on January 18, 2018. The results of the RFQ are as follows:

FIRM	CATEGORY
CH2Mhill, Philadelphia, PA	MARINE ENGINEER
CME Associates, Camden, NJ	MARINE ENGINEER
LSEA Corporation, Cherry Hill, NJ	MARINE ENGINEER
MidAtlantic Engineering Partners, Hamilton, NJ	MARINE ENGINEER
McLaren Engineering Group, West Nyack, NY	MARINE ENGINEER
Urban Engineers, Philadelphia, PA	MARINE ENGINEER

CME Associates, Camden, NJ (ALREADY ON LIST)	CIVIL ENGINEER
Greeman-Pedersen, Inc., Lebanon, NJ	CIVIL ENGINEER
LSEA Corporation, Cherry Hill, NJ	CIVIL ENGINEER
MidAtlantic Engineering Partners, Hamilton, NJ	CIVIL ENGINEER
PS&S, Warren, NJ (ALREADY ON LIST)	CIVIL ENGINEER
Taylor Wiseman Taylor, Camden, NJ (ALREADY ON LIST)	CIVIL ENGINEER
Urban Engineers, Philadelphia, PA	CIVIL ENGINEER
WSP USA Inc., Lawrenceville, NJ	CIVIL ENGINEER

Greeman-Pedersen, Inc., Lebanon, NJ	CONSTRUCTION MANAGEMENT
LSEA Corporation, Cherry Hill, NJ	CONSTRUCTION MANAGEMENT
Urban Engineers, Philadelphia, PA	CONSTRUCTION MANAGEMENT

CME Associates, Camden, NJ	GEO-TECH
GZA Geo Environmental, Inc., Philadelphia, PA	GEO-TECH
PS&S, Warren, NJ (ALREADY ON LIST)	GEO-TECH
S.T. Hudson Engineers, Inc., Cherry Hill, NJ	GEO-TECH

Marine Solutions, Newark, NJ	CERTIFIED DIVER
MidAtlantic Engineering Partners, Hamilton, NJ	CERTIFIED DIVER

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There were four submissions by firms who are already pre-qualified as noted on the plan list. The Board Review Committee will evaluate the 19 qualification packets and will present a recommendation to the Board for consideration.

RECOMMENDATION:

Staff recommends Board consideration of the Board Review Committee's recommendation to add firms to the pre-qualified engineer list for a term of two years beginning March 1, 2018.



ACTION ITEM:

B. RESOLUTION 2018-1-0006: TABLED

At the February 28, 2017 Board of Directors meeting, action was taken to approve professional services agreements for seven disciplines for a term of one year, beginning April 1, 2017 to March 31, 2018, with a one year option.

- General Counsel – Zane & Lozuke
- Maritime Counsel – Mattioni, Ltd.
- Labor Counsel – Brown & Connery
- Marketing Consultant – Phoenix Strategies/Artlip Communications
- Financial Advisor – Goldman Beale
- Insurance Broker – Conner Strong & Buckelew
- Bond Counsel – Capehart & Scatchard

The option is based on each of the administrative services firms to continue at the firm's original contract amount for the option of period beginning April 1, 2018 to March 28, 2018.

RECOMMENDATION:

Staff is requesting the Board's consideration to approve the one year option for the current professional services firms per the existing contract terms.



ACTION ITEM:

C. RESOLUTION 2018-1-0007: APPROVAL OF LEASE RENEWAL WITH CAMDEN PLANT HOLDING LLC.

Camden Plant Holdings, LLC has requested to renew their existing Lease. The Term of this lease will duplicate their existing Lease for a period of one (1) year and commence on March 1st, 2018; and expire on February 28th, 2019. The Leasehold comprises ~5000 sq.' of warehousing @ \$2.74/ sq.' generating an annual revenue income of \$13,680.00. A 2% CPI increase was applied.

RECOMMENDATION:

Staff recommends Board approval of the lease renewal with Camden Plant Holding, Inc.



ACTION ITEM:

D. RESOLUTION 2018-1-0008: 2018 PENSION LIABILITY

Staff presents the Employer’s Liability Annual Pension Contribution Invoice for the Public Employee’s Retirement System (PERS) for calendar year 2018. The total amount of \$898,870.16 is due on April 1, 2018. The total amount due includes the Employer’s Contribution for 2017 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 **\$ 101,329.00**

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 **\$ 631,006.00**

Non-Contributory Group Life Insurance **\$ 37,525.00**

Long Term Disability **\$ 25,657.00**

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: **\$ 103,353.16**

Total Amount Due all Categories **\$ 898,870.16**

RECOMMENDATION:

Staff Recommends approval by the Board for the 2018 Pension Liability as presented.

	<u>2017</u>	<u>2018</u>	<u>Variance</u>
Normal Contribution	\$111,843	\$101,329.00 =	(\$10,514)
Accrued Liability	\$569,179	\$631,006 =	\$61,827
Non-Contributory Group Life Insurance	\$33,989	\$37,525 =	\$3,536
Long Term Disability	\$10,774	\$25,657 =	\$14,883
Accrued Liability- ERI	<u>\$100,342</u>	<u>\$103,353.16 =</u>	<u>\$3,011.16</u>
Total Amount Due all Categories	\$ 826,127	- \$898,870.16 =	\$72,743.16 (increase)



ACTION ITEM:

E. RESOLUTION 2018-1-0009: AUTHORIZATION TO RELEASE REQUEST FOR PROPOSALS FOR EQUIPMENT LEASE PURCHASE AGREEMENT FOR CARGO HANDLING EQUIPMENT

Staff is requesting authorization to release a Request for Proposals to enter into a lease purchase agreement for lift trucks and fork and coil ram lift attachments which are vital to the operation of the Port.

The RFP will be for the following six (6) lift trucks:

- 2 – High Capacity Forklift – 55,000 lb. load capacity, max speed 16 mph, max lift speed 67 ft./min. with 8 ft. forks and heavy coil rams.
- 4 – High Capacity Forklift – 36,000 lb. load capacity, max speed 27.8 km/h and max lift speed 98.4 with 8 ft. forks.

Our fleet of lift trucks is very old and expensive to maintain. By investing in new equipment, we will be better able to more effectively and efficiently serve our many customers. The reliability of the equipment improves and maintenance costs decline.

Bond Counsel, General Counsel and the Financial Advisor have evaluated that the lease purchase agreement vehicle is satisfactory with the available funding conventions.

RECOMMENDATION:

Staff recommends Board authorization to release the Request for Proposals for Lease/Purchase Agreements for Cargo Handling Equipment.



ACTION ITEM:

F. RESOLUTION 2018-1-0010: DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR EEO CONTRACT COMPLIANCE

In accordance with N.J.A.C. 17:27-3.3, each Public Agency shall designate an individual to serve as its Public Agency Compliance Officer or P.A.C.O. The P.A.C.O. is the liaison between the Division and the Public Agency and is the Public Agency point of contact for all matters concerning implementation and administration of the statute and regulations. The P.A.C.O. is also responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and vendors with public contracts. Vendors shall include but are not limited to goods, professional services and general services; and construction contractors. As such, the P.A.C.O. must have the authority to recommend changes to effectively support the implementation of the statute and its regulations.

Each year, all Public Agencies are required to submit the name, title, address, telephone, number, fax, and email address of the P.A.C.O. designated by the Public Agency. This information must be submitted to the Division no later than January 10th of each year. In addition, it shall be the responsibility of the Public Agency to update the P.A.C.O. designation at any time during the year if any changes are made concerning the designated P.A.C.O.

Staff proposes to re-designate Bruno Cellucci, Treasurer, to serve as the agency's P.A.C.O. for 2018.

RECOMMENDATION:

Staff recommends Board designation of Bruno Cellucci to serve as the agency's P.A.C.O. for 2018.



ACTION ITEM:

G. RESOLUTION 2018-1-0011: AUTHORIZATION TO REQUEST QUOTATIONS FROM PRE-QUALIFIED ENGINEERS FOR DESIGN/CM SERVICES FOR NEWTON CREEK BRIDGE REPAIR PROJECT

Staff is requesting authorization to request quotations from the pre-qualified engineers to provide design and construction management services for the repair of the Newton Creek Bridge at the south end of the Broadway Terminal. The results of the request will be presented to the Board for consideration. Funding is available in the 2017 bond issue.

RECOMMENDATION:

Staff recommends Board to authorize requesting quotations from the pre-qualified engineers to provide design and construction management services for the repair of the Newton Creek Bridge.



ACTION ITEM:

**H. RESOLUTION 2018-1-0012: RESOLUTION 2018-1-0012:
INSURANCE RENEWALS – GENERAL LIABILITY,
COMMERCIAL AUTO, HULL & MACHINERY, POLLUTION
LIABILITY – BARGE, AND PUBLIC OFFICIALS LIABILITY /
EMPLOYMENT PRACTICES LIABILITY**

South Jersey Port Corporation's Marine Terminal Operators General Liability / Bumpershoot 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 March 1, 2018.

Marine Terminal Operators General Liability / Bumpershoot Liability: Your current (3/1/2017 – 3/1/2018) Marine Terminal Operators General Liability / Bumpershoot 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), Travelers Property Casualty Company of America (\$10,000,000 part of \$20,000,000 Limit excess of \$1,000,000 Underlying), and XL Specialty Insurance Company (\$10,000,000 part of \$20,000,000 Limit excess of \$1,000,000 Underlying). The total expiring premium is \$194,251 (including TRIA and New Jersey surcharges) based on Gross Receipts of \$21,616,139.

For the 3/1/2018 – 3/1/2019 policy term, the South Jersey Port Corporation provided a Gross Receipts estimate of \$22,048,461, an increase of 2%. Conner Strong & Buckelew negotiated a renewal cost of \$191,490, which represents a premium decrease of approximately 1% (rate decrease of 3%). Conner Strong & Buckelew pursued other insurance carriers on your behalf, and the results of our marketing effort are discussed further in our proposal. Based on the options provided, and after consultation with staff, Conner Strong & Buckelew recommends that South Jersey Port Corporation renew their Marine Terminal Operators General Liability insurance coverage with National Union Fire Insurance Company of Pittsburgh, PA. For the \$20,000,000 excess of \$1,000,000 Bumpershoot Liability program, XL Specialty is unable to follow Travelers Property & Casualty Company of America's lead in offering a renewal premium less than the expiring cost. After consultation with staff, Conner Strong & Buckelew recommends renewing this coverage with Travelers Property & Casualty Company of America and replacing XL Specialty Insurance Company with Liberty Mutual Insurance Company. The coverages, terms, and conditions of both the incumbent program and the proposed alternative will remain as expiring except for a few coverage enhancements, as detailed in our proposal, under the Marine Terminal Operators General Liability Insurance coverage through National Union Fire Insurance Company of Pittsburgh, PA.

Commercial Automobile: Your current program with Chubb Insurance Company of New Jersey provides a \$1,000,000 Combined Single Limit. Chubb's renewal quote for the 3/1/2018 –

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3/1/2019 policy term is \$84,553 (including NJ surcharges) through their Great Northern Insurance Company. We approached other insurance companies including National Fire Insurance Company of Pittsburgh, PA (AIG) and Travelers; however, Chubb continues to provide the most competitive program. Conner Strong & Buckelew recommends that South Jersey Port Corporation renew with Great Northern Insurance Company (Chubb).

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. AIG has offered a renewal quote for the 3/1/2018 – 3/1/2019 policy term with the same terms and conditions as expiring for a premium of \$5,845 (including NJ surcharges), reflecting a flat premium. Please note that this coverage is specifically for your 1959 Spud Barge. At present, 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 substances. WQIS' renewal quote for the 3/1/2018 – 3/1/2019 policy term is \$2,395 (including NJ surcharges), reflecting a flat premium. 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 Liability claims. The expiring premium is \$51,495 (including NJ surcharges). At present, Hiscox has not yet released their renewal quote for the 3/1/2018 – 3/1/2019 policy term. In order to allow South Jersey Port Corporation to receive the best terms and conditions from the marketplace, Conner Strong & Buckelew recommends extending the current policy through Hiscox by three months to expire 6/1/2018. The additional premium to extend the policy from 3/1/2018 to 6/1/2018 is \$12,982. After consultation with staff, Conner Strong & Buckelew recommends that South Jersey Port Corporation extend their Public Officials Liability and Employment Practices Liability program with Hiscox Insurance Company from 3/1/2018 to 6/1/2018.

RECOMMENDATION:

Staff recommends Board consideration of the recommendation from Conner Strong & Buckelew to approve the insurance renewals.



L. RESOLUTION 2018-1-0013: PERSONNEL MATTER

A personnel matter will be discussed in Closed session. Action may be taken by the Board in regular, open session.

RECOMMENDATION:

Staff recommends Board's consideration of a potential recommendation regarding a personnel matter.



INFORMATION ITEM:

I. MARKETING COMMITTEE REPORT

Phoenix/Artlip Communications will present the Marketing Report.



INFORMATION ITEM:

J. SECURITY UPDATE

The security update is prepared by Mr. Jay Jones.

USCG ALERT NOTIFICATION SYSTEM EXERCISE: On December 28, 2017, SJPC's FSO participated in an exercise of the Sector Delaware Bay Alert Warning System. The COTP Delaware Bay runs Semi Annual Alert Warning System drills. The automated system required acknowledgement, listed in the alert, by facility and vessel security officers.

USCG DELAWARE RIVER DEEPENING WORKING GROUP: Sector Delaware Bay has formed a Delaware River Deepening Working Group to gather opinions and suggestion from the local maritime community to make the process of managing the 45' foot channel operations when it comes on line later this year. The first meeting has been scheduled for Wednesday, January 24, 2018.

USCG DELAWARE BAY ICE EVENT INFORMATION REQUEST: Due to the frigid cold temperatures that we experienced in early January, ice conditions in the Delaware River and Bay was affecting the safe navigation of vessels and possibly facility operations. On January 8, 2018, SJPC participated in the Sector Delaware Bay request to monitor and report ice conditions in the vicinity of the SJPC facilities.



INFORMATION ITEM:

K. PAULSBORO MARINE TERMINAL PROJECT UPDATES

The Paulsboro Marine Terminal Project updates are provided by the Gloucester County Improvement Authority.

OWNER CONTROLLED INSURANCE PROGRAM:

A refund has been received from Liberty Mutual Insurance Company related to the Paulsboro Marine Terminal Owner Controlled Insurance Program (OCIP) Phase I. This is the third such receipt due to our favorable loss experience. The check was in the amount of \$386,326.95. It will be deposited into the P-3 Bond Series Account as this account was the original source of the premium payments.

To date, the Port has received a total of \$1,571,342.87 in return OCIP premiums. The record of receipts is as follows:

- August 2016 \$750,000.00
- August 2017 \$435,015.92
- January 2018 \$386,326.95

CHANGE ORDERS:

Wyndham Construction LLC Change Order #2 (PMT-017): In accordance with the Gloucester County Improvement Authority Board of Commissioners pending action at the 2/15/18 meeting a Change Order No. 2 will be presented for approval. This Change Order pertains to the PMT-017 contract. It has been determined that Change Order #2 to the regular contract with Wyndham Construction LLC is needed as proposed to the Gloucester County Improvement Authority dated January 11, 2018.

Description of Work: Perform the work in accordance with the following:

- 1) Install foundation insulation around the outside of the Shop Building in accordance with the Contractor's Change Order Request, which is attached.
- 2) Delete the air compressor from the contract scope of work in accordance with the Engineer's response to the Contractor's COR for the revised air compressor, both attached.
- 3) Install the framing and supports for the HVAC equipment (fans/louvers/heaters) at the wall and roof openings in accordance with the Contractor's COR, which is attached.

Justification (Reason for Change):

- 1) **Foundation Insulation Proposal:** After the foundation footings had been installed and the floor slab rebar was set, it was determined that insulation around the inside of the foundation is a code requirement. In order to not delay construction of the floor slab, the Borough's

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Construction Official approved the installation of the insulation around the outside of the Shop Building foundation. The foundation insulation was not included in the Bid Documents, and as such, it is a change for which the Contractor is entitled additional compensation.

- **Agreed Upon Compensation: \$12,977.15.** Any time extensions associated with this added work will be addressed by a separate COR and change order.

2) **Deletion of the Air Compressor:** The Bid Documents included the installation of piston-type air compressor, which was originally approved by the tenant. Upon review after the contract was awarded, the tenant requested a rotary-type air compressor with an air dryer. Proposal Request PR-003 was issued to the Contractor for the revised air compressor. After review of the Contractor’s proposal, the Owner decided to delete the air compressor completely from the scope of work under this contract due to the high costs associated with the revised air compressor and ancillary equipment. The air compressor will be bid separately as its own contract. The Contractor provided a proposal for the deletion of the original air compressor from the contract. Electrical conduit and cabling is not included in the proposal as this work will be completed under this contract for future connection to the future air compressor.

- **Agreed Upon Compensation: -\$5,577.64.**

3) **HVAC Equipment Framing and Supports Proposal: The pre-fabricated steel building that** the tenant ordered from the manufacturer was not designed with a consideration for any mechanical equipment. Due to code requirements, a mechanical HVAC system is required in the Shop Building. Therefore, heaters, fans, and louvers were required and framing, supports, and trim were required to be installed at openings in the walls and roof where this equipment was to be installed. The HVAC system was revised after the bid and was previously included as part of Change Order #1. This proposal is for the installation of the steel framing, supports, and trim for the HVAC equipment. The framing and supports were not included in the Bid Documents, and as such, it is a change for which the Contractor is entitled additional compensation.

- **Agreed Upon Compensation: \$62,147.18.** Any time extensions associated with this added work will be addressed by a separate COR and change order.

Original Contract Sum	\$1,094,850.04
Net change by previously authorized Change Orders	\$112,761.34
Contract Sum prior to this Change Order was	\$1,207,611.38
Contract Sum will be increased/decreased by this Change Order in the amount of	\$69,546.69
New Contract Sum including this Change Order will be	1,277,158.07
Original Contract Completion Date	April 11, 2018
Net Contract Time adjustments by prior Change Orders	0 Days
Contract Time adjustment as provided by this Change Order	TBD
Current Adjusted Contract Completion Date	April 11, 2018
Lump Sum this Change Order	\$69,546.69



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.

1. COUNSEL'S REPORT

2. PERSONNEL

a. Local 1040

b. Personnel Issue Recommendation