

# SOUTH JERSEY PORT CORPORATION



## BOARD OF DIRECTORS MEETING DECEMBER 6, 2022

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

1. **APPROVAL OF MINUTES**  
Regular Open Meeting October 25, 2022  
Closed Session Meeting October 25, 2022
2. **APPROVAL OF OPERATING BILLS  
RESOLUTION 2022-12-0131**
3. **APPROVAL OF ADVANCE PAYMENT BILL LIST  
RESOLUTION 2022-12-0132**
4. **APPROVAL OF CREDITS - NONE**
5. **APPROVAL OF CHANGE ORDERS (FOUR)**

**2022-12-0133: CHANGE ORDER NO.1 NJBS APPROVAL TO ADD  
WIFI TO CAMERAS PROJECT**

**2022-12-0134: CHANGE ODRER NO.3 FOX FENCE APPROVAL FOR  
REPAIR OF DAMAGED FENCE**

**2022-12-0135: CHANGE ORDER NO.2 PSS APPROVAL FOR UST  
REMEDATION**

**2022-12-0136: CHANGE ORDER NO.4 RE PIERSON APPORVAL FOR  
BERTH 4 PAVING**



- 6. APPROVAL OF CONSTRUCTION FUND REQUISITIONS  
RESOLUTION 2022-12-0137**
- 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:**

**ACTION ITEMS**

- A. RESOLUTION 2022-12-0138: APPROVAL TO AWARD A CONTRACT FOR THE SERVICES OF A LICENSED SITE REMEDIATION PROFESSIONAL ON AN AS-NEEDED BASIS**
- B. RESOLUTION 2022-12-0139: REQUEST APPROVAL TO ISSUE AN RFP FOR DESIGN SERVICES TO RESTORE POWER TO ON-DOCK RECEPTACLES FOR RAIL MOUNTED CRANES AT BALZANO MARINE TERMINAL**
- C. RESOLUTION 2022-12-0140: APPROVAL TO ISSUE A REQUEST FOR QUALIFICATIONS TO PROFESSIONAL FIRMS FOR CIVIL ENGINEERING, CERTIFIED DIVERS, CONSTRUCTION MANAGEMENT, GEOTECHNICAL AND MARINE ENGINEERING SERVICES**
- D. RESOLUTION 2022-12-0141: RECONSTRUCTION OF THE RAIL TRACK AT THE BALZANO TERMINAL, CONTRACT AMENDMENT FOR URBAN ENGINEERS**



- E. RESOLUTION 2022-12-0142: APPROVAL OF HARRY WILSON WELDING LEASE RENEWAL**
- F. RESOLUTION 2022-12-0143: 2023 SJPC HOLIDAY SCHEDULE**
- G. RESOLUTION 2022-12-0144: 2023 SJPC BOARD OF DIRECTORS MEETING SCHEDULE**
- H. RESOLUTION 2022-12-0145: RESOLUTION 2022-12-0145: 2023/2024 SALEM PORT AUTHORITY BUDGET**
- I. RESOLUTION 2022-12-0146: 2023 PILOT AGREEMENTS WITH CAMDEN COUNTY, CITY OF SALEM & CITY OF CAMDEN**
- J. RESOLUTION 2022-12-0147: APPROVAL OF NON-REPRESENTED STAFF COMPENSATION ADJUSTMENTS**
- K. RESOLUTION 2022-12-0148: APPROVAL TO EXECUTE SECOND AMENDMENT TO BROADWAY PIER 5 LEASE BETWEEN SOUTH JERSEY PORT CORPORATION AND CAMDEN WATERFRONT DEVELOPMENT**

**11. SUPPLEMENTAL BOARD INFORMATION:**

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

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PUBLIC SESSION FOR QUESTIONS / COMMENTS

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



**ACTION ITEM:**

**A. RESOLUTION 2022-12-0138: APPROVAL TO AWARD A CONTRACT FOR THE SERVICES OF A LICENSED SITE REMEDIATION PROFESSIONAL ON AN AS-NEEDED BASIS**

**REQUEST**

Staff is requesting Board Approval to award a contract to GEI Consultants of Mt. Laurel, New Jersey, to provide Licensed Site Remediation Professional (LRSP) services for all SJPC owned properties on an as-needed basis.

**BACKGROUND**

Pursuant to the Board's authorization in Resolution 2022-07-0075, an RFP was issued to the SJPC list of pre-qualified engineering firms, soliciting the services of a licensed site remediation professional (LRSP) on properties of the South Jersey Port Corporation on an as-needed, task order basis. The contract term is for one year with two one-year renewal options at the discretion of the SJPC. The contract amount is not-to-exceed \$50,000 per year.

An RFP was prepared and distributed to our list of prequalified civil engineering firms. The following seven prequalified civil engineering firms submitted proposals on Wednesday, November 7, 2022.

1. New World Matrix
2. Pennoni
3. T & M Associates
4. GEI Consultants, Inc
5. French & Parrello Associates
6. PS&S
7. Mid Atlantic Engineering, LLC

The proposals were reviewed by a selection committee of SJPC staff, and ranked based on LSRP qualifications, firm experience, and proposed hourly rates. The most qualified firm was then interviewed by SJPC staff. It was determined that the proposal submitted by GEI Consultants of Mt. Laurel, NJ was the best value and met all requirements of the RFP. General Counsel review indicated that the bid proposal is in proper legal form.

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**RECOMMENDATION:**

Staff therefore recommends Board Approval to award a contract to GEI Consultants of Mt. Laurel, New Jersey, to provide Licensed Site Remediation Professional (LRSP) services for one year with two one-year options in the amount of \$50,000 per year.



**ACTION ITEM:**

**B. RESOLUTION 2022-12-0139: REQUEST APPROVAL TO ISSUE AN RFP FOR DESIGN SERVICES TO RESTORE POWER TO ON-DOCK RECEPTACLES FOR RAIL MOUNTED CRANES AT BALZANO MARINE TERMINAL**

**REQUEST**

Staff are requesting Board approval to issue an RFP to the list of prequalified civil engineering firms to perform design services to restore power to on dock powered receptacles for the rail mounted cranes at the Balzano Marine Terminal in Camden, NJ.

**BACKGROUND**

The two rail mounted diesel cranes at the Balzano Marine Terminal require service electric power to operate the tower obstruction lights, the HVAC equipment in the crane house, and to operate the on-board computers while the crane is not in use. Currently only seven of the eighteen shore power locations are functional, and they do not provide power at all four crane docking locations, requiring the crane to be returned to the far ends of the terminal after each use.

At their August meeting, by Resolution 2022-08-0090, SJPC Board authorized Reading Crane to evaluate the existing conditions in order to determine the exact locations of conduits, pull boxes, and manholes running from the panels to the power centers, determine their condition for reuse, and provide a detailed report outlining the configurations of the existing circuits, their condition, the work required to make them functional again, and the estimated costs.

On November 2, Reading Crane presented their detailed Assessment Summary and Repair Drawing to SJPC staff, with findings, recommendations, and a cost estimate.

The recommended plan is to restore service to at all four crane parking locations by energizing three damaged stations, providing for a total of ten functional locations. Crane power plugs, on-dock receptacle boxes, and protective bollards will also be replaced. The unused locations will be demolished and safe-ed off.

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The estimated construction cost for the work is \$225,000. Because this exceeds the SJPC bidding threshold, a bid package of plans and specifications will need to be prepared and publicly advertised for bids.

**RECOMMENDATION:**

Staff recommends Board approval to issue a request for proposals to the SJPC list of prequalified engineering firms for design services to prepare the bid package for the restoration of electric power to on-dock receptacles at the Balzano Marine Terminal.





**ACTION ITEM:**

**C. RESOLUTION 2022-12-0140: APPROVAL TO ISSUE A REQUEST FOR QUALIFICATIONS TO PROFESSIONAL FIRMS FOR CIVIL ENGINEERING, CERTIFIED DIVERS, CONSTRUCTION MANAGEMENT, GEOTECHNICAL AND MARINE ENGINEERING SERVICES**

**REQUEST**

Staff is requesting Board approval to issue a Request for Qualifications (RFQ) to professional firms for Civil Engineering, Certified Divers, Construction Management, Geotechnical, and Marine Engineering Services.

**BACKGROUND**

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 specific qualification term is for three (3) years, commencing on March 1, 2023, and expiring on February 28, 2026.

**RECOMMENDATION:**

Staff recommends Board approval to issue a Request for Qualifications (RFQ) to professional firms for Civil Engineering, Certified Divers, Construction Management, Geotechnical, and Marine Engineering Services.



**ACTION ITEM:**

**D. RESOLUTION 2022-12-0141: RECONSTRUCTION OF THE RAIL TRACK AT THE BALZANO TERMINAL, CONTRACT AMENDMENT FOR URBAN ENGINEERS**

**REQUEST**

Urban Engineers is being requested to revise the contract drawings in preparation for rebidding of the Rail Reconstruction Project at the Balzano Terminal, Camden, NJ.

SJPC Staff is requesting Board approval for an amendment to the Urban Engineers contract to address this increased scope of work.

**BACKGROUND**

Urban Engineers was awarded a contract for design services to rehabilitate the rail track, the Shed 1 loading platform, and other miscellaneous rail repairs at the Balzano Terminal at the December 2020 board meeting by Board Resolution 2020-12-0110 in the amount of \$249,000. The second low-cost proposal for these design services was \$374,950. This project is funded by a NJDOT Rail Freight Assistance Program grant from 2020.

Contract documents were prepared, and the construction contract was publicly advertised for bids. All bids received were in excess of \$10 million, exceeding the project budget which is based on the grant amount of \$6,010,650 being funded by the NDOT Rail Freight Federal Assistance Program. In order to proceed and utilize the grant funds, the project requires rescoping to reduce construction costs, followed by rebidding.

Urban's additional services on this project included the preparation of add / alternate drawings for a new rail spur, additional design efforts to address relocating fence rail gates clearances in support of an ongoing security fence project, revisions to rail track and civil/site work, and remobilization of their survey crew due to cargo covering manholes. Going forward, their additional services include revisions of the drawings to reflect a reduced scope of work, revised quantities takeoffs for the bid form and cost estimating, as well as additional services during the next bid period to support the SJPC in the evaluation of bids received. All of the additional scope is as requested by SJPC.

**RECOMMENDATION:**

Staff is therefore recommending Board Approval to amend Urban Engineers' contract in the amount of \$55,500 to address additional services as required for the Rail Reconstruction Project at the Balzano Terminal. The total engineering fees would be adjusted from \$249,000 to \$304,500.



**ACTION ITEM:**

**E. RESOLUTION 2022-12-0142: APPROVAL OF HARRY WILSON WELDING LEASE RENEWAL**

**REQUEST**

Staff is requesting Board approval to renew the Harry Wilson Welding lease for a one-year term, commencing on February 1, 2023.

**BACKGROUND**

Harry Wilson Welding has requested a one (1) year lease renewal for a 100 square foot storage shed located at the Broadway Terminal. An 8% CPI increase will be applied at the new monthly billing rate of \$55.56, resulting in annual revenue of \$666.79. The new one-year lease will commence on February 1, 2023.

**RECOMMENDATION:**

Staff recommends Board approval to renew the Harry Wilson Welding lease for a one-year term, commencing on February 1, 2023



**ACTION ITEM:**

**F. RESOLUTION 2022-12-0143: 2023 SJPC HOLIDAY SCHEDULE**

**2023 SJPC HOLIDAY SCHEDULE**

<b>HOLIDAY</b>	<b>DATE</b>
New Year's Day	Monday, January 2, 2023
Martin Luther King Day	Monday, January 16, 2023
President's Day	Monday, February 20, 2023
Good Friday	Friday, April 7, 2023
Memorial Day	Monday, May 29, 2023
Juneteenth	Friday, June 16, 2023
Independence Day	Tuesday, July 4, 2023
Labor Day	Monday, September 4, 2023
Veteran's Day	Friday, November 10, 2023
Thanksgiving Day	Thursday, November 23, 2023
Day After Thanksgiving Day	Friday, November 24, 2023
Christmas Eve	Friday, December 22, 2023
Christmas Day	Monday, December 25, 2023

\*Days vary based on union contracts

**RECOMMENDATION:**

Staff recommends Board approval of the 2023 SJPC holiday schedule.



**ACTION ITEM:**

**G. RESOLUTION 2022-12-0144: 2023 SJPC BOARD OF DIRECTORS MEETING SCHEDULE**

<b>DATE</b>	<b>MEETING</b>	<b>TIME</b>
Tuesday, January 31, 2023	Regular	12:30 P.M.
Tuesday, February 28, 2023	Regular	12:30 P.M.
Tuesday, March 28, 2023	Regular	12:30 P.M.
Tuesday, April 25, 2023	Regular	12:30 P.M.
Tuesday, June 13, 2023	Regular	12:30 P.M.
Tuesday, July 25, 2023	Regular	12:30 P.M.
Tuesday, August 29, 2023	Regular	12:30 P.M.
Monday, September 25, 2023	Regular	12:30 P.M.
Tuesday, October 31, 2023	Regular	12:30 P.M.
Tuesday, December 5, 2023	Regular	12:30 P.M.

**RECOMMENDATION:**

Staff recommends Board approval of the 2023 SJPC Board of Directors meeting schedule.



**ACTION ITEM:**

**H. RESOLUTION 2022-12-0145: 2023/2024 SALEM PORT AUTHORITY BUDGET**

The 2023/2024 Salem Port Authority Budget is presented for approval. In summary, the proposed budget for 2023/2024 totals \$66,955 as compared to last year's total of \$64,190.00.

- Increase of \$609 to salaries and wages (2%)
- Increase of \$46 to social security/medicare expense
- Increase of \$5 to unemployment expense
- Increase of \$1,700 to health insurance
- Increase of \$86 to pension expense
- Increase of \$319 for other expenses

The net effect is an increase to last year's budget in the amount of \$2,765 or 4.3% overall. All expenses had a 2% increase except for health insurance, which was 16% due to increase in overall State of New Jersey health insurance costs.

**RECOMMENDATION:**

Staff recommends Board approval of the Salem Port Authority 2023/2024 Budget as presented.



**ACTION ITEM:**

**I. RESOLUTION 2022-12-0146: 2023 PILOT AGREEMENTS WITH CAMDEN COUNTY, CITY OF SALEM & CITY OF CAMDEN**

The **Camden County 2023 calendar year PILOT agreement** is the same amount as last year's PILOT payment at \$419,000.00.

The **City of Salem 2023 calendar year PILOT agreement** is the same amount as last year's PILOT payment at \$31,224.37.

The **City of Camden 2023 calendar year PILOT agreement** is the same amount as last year's PILOT payment at \$4,000,000.00.

**RECOMMENDATION:**

Staff recommends Board approval for the 2023 PILOT Agreements with the County of Camden, City of Salem, and the City of Camden.



**ACTION ITEM:**

**J. RESOLUTION 2022-12-0147: APPROVAL OF NON-REPRESENTED STAFF COMPENSATION ADJUSTMENTS**

**REQUEST**

Staff is requesting Board approval for an annual compensation adjustment, in line with current SJPC Collective Bargaining Agreements (CBA), for non-represented staff.

**BACKGROUND**

In concert with all of the Collective Bargaining Agreements (CBA) in effect at the South Jersey Port Corporation, staff is requesting Board consideration and approval of a 2% compensation adjustment for all non-represented employees effective January 1, 2023.

This includes the Executive Director and CEO, Assistant Executive Director/Chief Commercial Officer, Assistant Executive Director/COO, Chief of Staff and External Affairs, Director of Engineering, CFO/Treasurer, Director of Legal and Regulatory Affairs, Facilities Engineer, Security Manager, Senior Executive Assistant, Senior Advisor – Administration, Senior Advisor – Engineering, HR Manager, and janitor.

**RECOMMENDATION**

Staff recommends Board approval of the non-represented staff compensation adjustment recommendation.





**ACTION ITEM:**

**K. RESOLUTION 2022-12-0148: APPROVAL TO EXECUTE SECOND AMENDMENT TO BROADWAY PIER 5 LEASE BETWEEN SOUTH JERSEY PORT CORPORATION AND CAMDEN WATERFRONT DEVELOPMENT**

**REQUEST**

Staff requests Board approval to execute the 2<sup>nd</sup> Amendment to the Broadway Pier 5 lease between South Jersey Port Corporation (SJPC) and Camden Waterfront Development (CWD)

**BACKGROUND**

As consideration for SJPC providing an upgraded refrigeration system at the Broadway Pier 5 premises and in anticipation of creating approximately 200 jobs, the lease amendment contains the following key provisions:

- SJPC to provide up to \$8 million to upgrade the refrigeration system on the premises, CWD will be responsible for procurement, installation, maintenance, repair of same, and for any cost overruns of procurement and installation
- Base rent of \$945,526 per year to remain in effect through current lease term expiring January 31, 2025, and subject to granting of any lease extension(s), will increase annually thereafter by CPI-U
- Up to three 5-year lease extension options will be granted to CWD, providing CWD makes minimum capital investments of \$3 million, with a minimum of \$1million prior to November 30, 2024, a minimum of \$1million prior to November 30, 2029, and a minimum of \$1million prior to November 30, 2034. CWD shall provide SJPC with an accounting, in a form acceptable to the SJPC, of all capital investments; and the accounting of the said investments shall be subject to review and approval by the SJPC, prior to the grant of each extension; which said grants shall not be unreasonably withheld.
- Air Products site to be added to the lease premises upon completion of remediation at no additional cost, and CWD to be responsible for all site improvements and for cost of compliance with all environmental inspections and reporting
- With respect to the condition of Berth 5, the parties acknowledge that the berth condition has deteriorated over time, and that SJPC will undertake periodic condition

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surveys and commercially reasonable repairs to continue the use of the berth by vessels, but that if the berth at any time is determined to be unusable, there will be no abatement of rent as a result.

- SJPC and CWD will continue to coordinate and expend efforts to obtain funding to repair and improve the Broadway Pier 5 Premises
- Other maintenance and repair responsibilities to remain unchanged, except that CWD assumes responsibility for all maintenance and repair of the sanitary sewer system on the terminal, which CWD accepts in its “as is’ condition as of the date of this Lease Amendment. The costs of this maintenance and repair can count toward CWD’s \$3 million investment responsibility.

### **RECOMMENDATION:**

Staff requests Board approval to execute the 2<sup>nd</sup> Amendment to the Broadway Pier 5 lease between South Jersey Port Corporation (SJPC) and Camden Waterfront Development (CWD), subject to SJPC counsel’s final review and approval.



**INFORMATION ITEM:**

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

PHOENIX STRATEGIES/ARTLIP COMMUNICATIONS REPORT ATTACHED.



**INFORMATION ITEM:**

**M. SECURITY UPDATE:**



**INFORMATION ITEM:**

**N. PAULSBORO MARINE TERMINAL PROJECT UPDATES**

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



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