

# SOUTH JERSEY PORT CORPORATION



## BOARD OF DIRECTORS MEETING FEBRUARY 25, 2025

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

#### OPEN PUBLIC MEETINGS ACT STATEMENT:

Pursuant to the provisions of the Open Public Meetings Act, Chapter 231, Public laws of 1975, adequate notice of this meeting has been provided. On December 3, 2024, the Board Secretary of the Corporation sent a legal notice with a schedule of Regular Meetings to be held by the South Jersey Port Corporation's Board of Directors, during the calendar year 2025, indicating the time and place to the County Clerks within the seven counties of the Port District and the Secretary of State. A legal notice was sent to the following newspapers: Courier-Post, South Jersey Times and the Burlington County Times.

In addition, the meeting schedule was posted at the Port Corporation's designated Bulletin Board at the main entrance to the Broadway Terminal, its official place for posting and maintaining a schedule of the monthly Board of Director's Meetings for 2025. The meeting schedule was also placed on the Port Corporation's website at [www.southjerseyport.com](http://www.southjerseyport.com).

#### 1. APPROVAL OF MINUTES

Regular Open Meeting January 28, 2025

Closed Session Meeting January 28, 2025

#### 2. APPROVAL OF OPERATING BILLS

**RESOLUTION 2025-02-0021**

#### 3. APPROVAL OF ADVANCED PAYMENT BILL LIST

**RESOLUTION 2025-02-0022**

#### 4. APPROVAL OF CREDITS

**RESOLUTION 2025-02-0023**

#### 5. APPROVAL OF CHANGE ORDERS (ONE)

**RESOLUTION 2025-02-0024: APPROVAL OF CHANGE ORDER NO. 2 TO PAVING PLUS, LLC - INSTALLATION OF IN-LINE CHECK VALVE IN SOUTH 2<sup>ND</sup> STREET COMBINED STORM / SEWER INLET STRUCTURE**



- 6. APPROVAL OF CONSTRUCTION FUND REQUISITIONS  
RESOLUTION 2025-02-0025**
- 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 2025-02-0026: APPROVAL TO AWARD A  
CONSTRUCTION CONTRACT FOR REPAIRS TO THE PIER 1  
SEAWALL AT BROADWAY TERMINAL**
- B. RESOLUTION 2025-02-0027: APPROVAL TO AWARD A CONTRACT  
FOR PROFESSIONAL SERVICES TO DESIGN THE D BUILDING  
CONCRETE FLOOR SLAB AT THE BALZANO MARINE TERMINAL**
- C. RESOLUTION 2025-02-0028: APPROVAL TO ISSUE AN INVITATION  
FOR BIDS - RAIL TRACK INSPECTION SERVICES, PREVENTATIVE  
MAINTENANCE, AND EMERGENCY REPAIRS AT THE CAMDEN  
MARINE TERMINALS**
- D. RESOLUTION 2025-02-0029: APPROVAL TO ISSUE AN INVITATION  
FOR BIDS – A&B BUILDINGS ROOF SCUPPER REPAIRS AT THE  
BALZANO MARINE TERMINAL**
- E. RESOLUTION 2025-02-0030: APPROVAL TO ADVERTISE A  
REQUEST FOR BIDS FOR THE CONSTRUCTION OF REPAIRS TO  
THE CRANE RAIL CONCRETE SUPPORT BEAMS, DRAINAGE, AND  
OUTER DECK OF BERTH 4 AT THE BALZANO MARINE  
TERMINAL**



**F. RESOLUTION 2025-02-0031: APPROVAL OF ADDENDUM NO. 2 TO TATA STEEL IJMUIDEN BV AND TATA STEEL UK LTD. (“TATA”) FRAMEWORK AGREEMENT**

**G. RESOLUTION 2025-02-0032: APPROVAL TO PURCHASE THREE (3) 2025 FORD ESCAPE PLUG-IN HYBRID SUVS**

**H. RESOLUTION 2025-02-0033: APPROVAL TO PURCHASE TWO (2) 2025 FORD LIGHTNING EV PICK-UP TRUCKS**

**I. RESOLUTION 2025-02-0034: APPROVAL TO PURCHASE THREE (3) 2025 FORD E-TRANSIT CARGO VANS**

**J. RESOLUTION 2025-02-0035: APPROVAL TO PURCHASE ONE (1) 2025 CHRYSLER PACIFICA PLUG-IN HYBRID MINIVAN**

**K. RESOLUTION 2025-02-0036: APPROVAL TO ADVERTISE FOR FACILITY SECURITY AUDITOR**

**L. RESOLUTION 2025-02-0037: APPROVAL TO ADVERTISE FOR CONFLICT COUNSEL TO REPRESENT AND PROVIDE PROFESSIONAL LEGAL SERVICES TO AND FOR THE SOUTH JERSEY PORT CORPORATION**

**11. SUPPLEMENTAL BOARD INFORMATION:**

**M. 2025 – NJ EMISSION REDUCTION REGULATIONS**

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

**O. PORT SECURITY UPDATE**

**P. PAULSBORO MARINE TERMINAL PROJECT UPDATES**

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PUBLIC SESSION FOR QUESTIONS / COMMENTS

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



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**ACTION ITEM:**

**A. RESOLUTION 2025-02-0026: APPROVAL TO AWARD A CONSTRUCTION CONTRACT FOR REPAIRS TO THE PIER 1 SEAWALL AT BROADWAY TERMINAL**

**REQUEST**

Staff is requesting Board approval to award a construction contract for repairs to the Pier 1 Seawall at the Broadway Marine Terminal.

**BACKGROUND**

During the construction of sinkhole repair work in Pier 1, it was noted that a section of the inshore concrete seawall had rotated caused by the advanced deterioration of supporting timber and steel piles. The area of concern was cordoned off for safety. In October of 2023, a contract for design services was awarded to GEI consultants per Board Resolution Number 2023-10-0093. A comprehensive inspection was performed, and the design prepared for the construction of the Pier 1 Seawall repair work. The NJDEP and Army Corp of Engineers permits have been received.

Pursuant to the Board Authorization: RESOLUTION 2024-06-0074 APPROVAL TO ISSUE AN INVITATION FOR BIDS - CONSTRUCTION REPAIRS TO THE PIER 1 SEAWALL AT BROADWAY MARINE TERMINAL, an Invitation for Bidders (IFB) was advertised to solicit public bids.

The IFB was posted on the SJPC website, advertised in three papers, and 23 firms were notified directly of the opportunity. A Prebid meeting was held on Thursday, December 5, 2024, with six contractors in attendance. A total of two addenda were issued, and four bids were received on Thursday, January 9, 2025, as follows:

Company	Amount
PKF Mark III, Inc Newton, PA	\$596,140
Scofield Marine Contractors / Engineers Egg Harbor Township, NJ	\$756,950
JPC Group, Inc Blackwood, NJ	\$949,000
AP Construction, Inc. Blackwood, NJ	\$1,187,000

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A low bid meeting was held with the contractor on Monday, January 13, 2025, at which time the contractor demonstrated a clear understanding of the work to be performed. Legal review confirmed that the bid met all the requirements of the IFB.

### **RECOMMENDATION:**

Staff is recommending Board approval to award a construction contract for the Broadway Pier 1 Seawall repairs project to the low bidder, PKF Mark III, Inc., of Newtown, PA, in the Lump Sum Bid Amount of \$596,140.



**ACTION ITEM:**

**B. RESOLUTION 2025-02-0027: APPROVAL TO AWARD A CONTRACT FOR PROFESSIONAL SERVICES TO DESIGN THE D BUILDING CONCRETE FLOOR SLAB AT THE BALZANO MARINE TERMINAL**

**REQUEST**

Requesting Board Approval to award a professional design services contract for the D Building concrete floor slab at the Balzano Marine Terminal.

**BACKGROUND**

The existing Building D warehouse was constructed circa 2000 at the Balzano Marine Terminal. The 90,000 square foot building has a bituminous asphalt floor and is used to store steel coils. The SJPC is pursuing opportunities with new customers whose high value cargos would require a food grade, non-asphalt surface. In addition, some localized sections of the existing floor have settled over the years and replacement with a new concrete floor slab will address those issues.

SJPC staff prepared and issued a Request for Proposals which was issued to our list of pre-qualified civil engineering design firms to perform the necessary field investigation and design services required to design a new concrete floor slab.

A non-mandatory site visit was held on October 17, 2024, with six (6) firms in attendance. The following six (6) proposals were received on November 7, 2024:

Firm	Proposed Fee
PS&S Wall, NJ 07753	\$45,500
On Board Engineering Wall Township, NJ 07719	\$53,700
RVE Cherry Hill, NJ 08003	\$96,417
FPA East Windsor, NJ 08520	\$169,585
VBH Manasquan, NJ 08736	\$283,585
SI Engineering Princeton, NJ 08540	\$334,567

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Proposals were reviewed by SJPC staff against the RFP selection criteria. A meeting was held with the lowest fee proposer to confirm their understanding and our expectations for delivery of the project design services, and it was determined that Paulus Sokolowski and Sartor, LLC (PS&S) of Wall Township, New Jersey, was the best value and met the requirements of the RFP. Legal review confirmed that the proposal is in its proper form.

### **RECOMMENDATION:**

Therefore, staff requests Board Approval to award the design services contract for the D Building concrete floor slab at the Balzano Marine Terminal to PS&S, Wall, NJ, in the not to exceed amount of \$45,500.





**ACTION ITEM:**

**C. RESOLUTION 2025-02-0028: APPROVAL TO ISSUE AN INVITATION FOR BIDS - RAIL TRACK INSPECTION SERVICES, PREVENTATIVE MAINTENANCE, AND EMERGENCY REPAIRS AT THE CAMDEN MARINE TERMINALS**

**REQUEST**

Board approval is hereby requested to issue an IFB for public bids to perform inspection, preventative maintenance, and emergency repair services for rail tracks and appurtenances at the Camden Marine Terminals for a one (1) year period with up to two (2) one-year extensions.

**BACKGROUND**

Conrail inspects and maintains the rail network to the Camden ports. Sections of rail track located immediately adjacent to and outside the port are defined in a sidetrack agreement with the SJPC. Routinely SJPC staff perform visual inspection of on port rail track at the two Camden Marine Terminals.

In October 2022, SJPC received a letter from Conrail indicating that they have no obligation to inspect or maintain portions of the sidetrack beyond the limits of Conrail's maintenance responsibility. Conrail further stated that SJPC is required to inspect and maintain rail track beyond Conrail's limits of responsibility to Federal Railroad Administration Class 1 Track Standards as covered by the Conrail / SJPC sidetrack agreement. Conrail also provided the names of qualified contractors in the region capable of performing these services.

**RECOMMENDATION:**

Staff requests Board approval to publicly advertise a construction contract for the rail track inspection, preventative maintenance, and emergency repairs at the Camden Marine Terminals for a one (1) year period with options to renew for up to two (2) one-year extensions.



**ACTION ITEM:**

**D. RESOLUTION 2025-02-0029: APPROVAL TO ISSUE AN INVITATION FOR BIDS – A&B BUILDINGS ROOF SCUPPER REPAIRS AT THE BALZANO MARINE TERMINAL**

**REQUEST**

Staff is requesting Board permission to advertise a competitive request for bids for the repair of the A&B Building Scuppers at the Balzano Marine Terminal.

**BACKGROUND**

The roofs on the original group of buildings at the Balzano Marine Terminal (Sheds 1 and 2, and Buildings A, B, and C, circa 1936), are old and leak onto the cargo.

Recently the roofs on Sheds 1 and 2 were replaced. Next in the program are the A and B Buildings. Although the roofs do not yet need total replacement, the scuppers and downspouts are deteriorated to the point where water is infiltrating down the interior walls into the cargo storage areas. This repair will secure the buildings until the roofs are eventually replaced.

The proposed scope of work includes complete scupper replacement on both roofs and new metal flashing along the perimeter of each roof. All sixteen scuppers on each building will be removed. The contractor will provide and install metal scuppers and connect them to new downspout piping. All penetrations will be flashed with cold applied SBS granulated roofing, and an aluminum drip edge will be added to the perimeter of the repaired area. This project also includes the replacement of the downspouts.

**RECOMMENDATION:**

Staff requests Board approval to publicly advertise a construction contract for repair of the A&B Building Scuppers at the Balzano Marine Terminal.



**ACTION ITEM:**

**E. RESOLUTION 2025-02-0030: APPROVAL TO ADVERTISE A REQUEST FOR BIDS FOR THE CONSTRUCTION OF REPAIRS TO THE CRANE RAIL CONCRETE SUPPORT BEAMS, DRAINAGE, AND OUTER DECK OF BERTH 4 AT THE BALZANO MARINE TERMINAL**

**REQUEST**

Staff is requesting Board approval to issue a publicly advertised request for bids to perform repairs to the top of the concrete crane rail support beams, the drainage structures, replace rail track, and the Berth 4 pavement surface at the Balzano Marine Terminal, Camden, NJ.

**BACKGROUND**

The existing crane rails mounted on the berths are supported on a concrete grade beam foundation, the top surface being exposed to severe wear and tear associated with port equipment traveling across the crane rails during ship loading and unloading operations.

Repairs to the Kocks rail mounted gantry crane in 2023 kept it out of service for an extended period of time, thereby increasing cargo equipment movements along Berth 4 during scrap ship loading operations, and accelerating damage to the top of the concrete crane rail beam as well as damaging the berth's surface pavement. This project will repair the damaged concrete and steel reinforcement on the crane support beams, repair drainage inlet structures, and replace the train rail and the pavement surface of the berth in this area.

The drawings and specifications were prepared by On-Board Engineering in accordance with Resolution 2024-04-0061.

**RECOMMENDATION:**

Staff requests Board approval to publicly advertise for competitive bids to perform repairs to the concrete crane rail support beams, the drainage structures, replace rail track and the Berth 4 bituminous asphalt pavement surface at the Balzano Marine Terminal.



**ACTION ITEM:**

**F. RESOLUTION 2025-02-0031: APPROVAL OF ADDENDUM NO. 2 TO TATA STEEL IJMUIDEN BV AND TATA STEEL UK LTD. (“TATA”) FRAMEWORK AGREEMENT**

**REQUEST**

Staff is requesting Board approval to execute Addendum No. 2 to the terminal services “Framework Agreement” with Tata Steel Ijmuiden BV and Tata Steel UK, Ltd. in order to continue the commercial and operational relationship between SJPC and Tata related to the importation, handling, storage, and distribution of Tata steel products via SJPC’s Camden port facilities.

**BACKGROUND**

Tata has been a customer of SJPC for over 20 years and utilizes Balzano Terminal for the importation and distribution of steel coils in order to supply its manufacturing customers in the US, including an active rail and truck logistics supply chain between Camden and Midwest points. Tata is one of the largest global steel producers and currently one of the largest import customers in Camden. Tata Steel imports to Camden originate in both the Netherlands and the UK, with most of the imports being sourced from the Netherlands. The 2021 Framework Agreement with Tata was extended per Addendum 1 with Board approval in February 2022, and expires March 31, 2025

**REQUESTED ADDENDUM NO. 2 KEY TERMS**

- Extends term of the Agreement for three years, commencing April 1, 2025, and expiring March 31, 2028
- Year 1 of the Addendum provides for an 8% rate increase in most operational activities, with the exception of an 11% increase in truck loading charges, and specified charges for overtime rail loading
- Phase in of Terminal Handling Fee tariff item over term of the agreement extension
- Rate escalations for terminal services provided by SJPC in Years 2 and 3 of the Addendum to be calculated according to CPI-U, with minimum escalation parameters of 2% and maximum of 5.5%
- Rate escalations for stevedoring services provided by DRS in Years 2 and 3 of the Addendum to be in accordance with ILA labor contract escalations

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- The Addendum expresses mutual strategic commitments related to coordinating terminal capacity based on timely volume projections by Tata, and coordination of overtime rail loading operations

**RECOMMENDATION:**

Staff is therefore requesting Board approval to execute Addendum No. 2 to the terminal services “Framework Agreement” with Tata Steel Ijmuiden BV and Tata Steel UK, Ltd., effective April 1, 2025.



**ACTION ITEM:**

**G. RESOLUTION 2025-02-0032: APPROVAL TO PURCHASE THREE (3) 2025 FORD ESCAPE PLUG-IN HYBRID SUVS**

**REQUEST**

Staff requests Board approval to purchase three (3) 2025 Ford Escape plug-in hybrid sport utility vehicles.

**BACKGROUND**

Governor Murphy signed S2252 on January 17, 2020, a law that requires, among other things, at least 25 percent of all State-owned non-emergency light-duty vehicles shall be plug-in electric vehicles by December 31, 2025. The Port is required to purchase nine total plug-in electric vehicles to meet its obligation under these regulations.

Gentilini Motors submitted a proposal utilizing NJ State Contract T-2007-20-1393. The price per vehicle is \$41,524.47 for a total cost of \$124,573.41.

Each vehicle requires a charger, which costs \$10,332.50 per unit, for a total cost of \$30,997.50.

There are State and federal tax credits and rebates available that the Port intends to take advantage of to help defray the cost of these purchases. The NJ Board of Public Utilities Clean Fleet EV Program offers up to \$4,000 for each vehicle, as well as up to \$4,000 towards the cost of the charger. In addition, the federal Inflation Reduction Act Direct Pay tax credit program provides up to \$7,5000 per vehicle and 30% of the cost of the charger, or \$3,099.75. As a result, if approved for these credits and rebates, the final price could be considerably lower.

Vehicle	Base Price	IRA Tax Credit	BPU Clean Fleet Rebate	Final Cost Per Unit	Total Units	Final Cost
Ford Escape	\$41,524.47	\$7,500.00	\$4,000.00	\$30,024.47	3.00	\$90,073.41
Charging Station	\$10,332.50	\$3,099.75	\$4,000.00	\$3,232.75	3.00	\$9,698.25
						<b>\$99,771.66</b>

The vehicles will be used by Operations and Maintenance department supervisors.

**RECOMMENDATION:**

Staff recommends Board approval to purchase three (3) Ford Escape plug-in hybrid sports utility vehicles and requisite chargers for the total cost of \$155,570.91.



**ACTION ITEM:**

**H. RESOLUTION 2025-02-0033: APPROVAL TO PURCHASE TWO (2) 2025 FORD LIGHTNING EV PICK-UP TRUCKS**

**REQUEST**

Staff requests Board approval to purchase two (2) 2025 Ford Lightning all-electric pick-up trucks.

**BACKGROUND**

Governor Murphy signed S2252 on January 17, 2020, a law that requires, among other things, at least 25 percent of all State-owned non-emergency light-duty vehicles shall be plug-in electric vehicles by December 31, 2025. The Port is required to purchase nine total plug-in electric vehicles to meet its obligation under these regulations.

Gentilini Motors submitted a proposal utilizing NJ State Contract T-2007-20-1393. The price per vehicle is \$50,203 for a total cost of \$100,406.

Each vehicle requires a charger, which costs \$10,332.50 per unit, for a total cost of \$20,665.

There are State and federal tax credits and rebates available that the Port intends to take advantage of to help defray the cost of these purchases. The NJ Board of Public Utilities Clean Fleet EV Program offers up to \$4,000 for each vehicle, as well as up to \$4,000 towards the cost of the charger. In addition, the federal Inflation Reduction Act Direct Pay tax credit program provides up to \$7,5000 per vehicle and 30% of the cost of the charger, or \$3,099.75. As a result, if approved for these credits and rebates, the final price could be considerably lower.

<b>Vehicle</b>	<b>Base Price</b>	<b>IRA Tax Credit</b>	<b>BPU Clean Fleet Rebate</b>	<b>Final Cost Per Unit</b>	<b>Total Units</b>	<b>Final Cost</b>
Ford Lightning	\$50,203.00	\$7,500.00	\$4,000.00	\$38,703.00	2.00	\$77,406.00
Charging Station	\$10,332.50	\$3,099.75	\$4,000.00	\$3,232.75	2.00	\$6,465.50
						<b>\$83,871.50</b>

The vehicles will be used by Operations and Maintenance department supervisors.

**RECOMMENDATION:**

Staff recommends Board approval to purchase two (2) Ford Lightning all-electric pick-up trucks and requisite chargers for the total cost of \$121,071.



**ACTION ITEM:**

**I. RESOLUTION 2025-02-0034: APPROVAL TO PURCHASE THREE (3) 2025 FORD E-TRANSIT CARGO VANS**

**REQUEST**

Staff requests Board approval to purchase three EV (3) 2025 Ford E-Transit Cargo vans.

**BACKGROUND**

Governor Murphy signed S2252 on January 17, 2020, a law that requires, among other things, at least 25 percent of all State-owned non-emergency light-duty vehicles shall be plug-in electric vehicles by December 31, 2025. The Port is required to purchase nine total plug-in electric vehicles to meet its obligation under these regulations.

National Auto Fleet Group submitted a proposal utilizing NJ Sourcewell Contract 091521-NAF. The price per vehicle is \$58,389.37 for a total cost of \$175,168.11.

Each vehicle requires a charger, which costs \$10,332.50 per unit, for a total cost of \$30,997.50.

There are State and federal tax credits and rebates available that the Port intends to take advantage of to help defray the cost of these purchases. The NJ Board of Public Utilities Clean Fleet EV Program offers up to \$4,000 for each vehicle, as well as up to \$4,000 towards the cost of the charger. The New Jersey Economic Development Agency NJ ZIP program offers up to \$20,000 for the purchase of medium and heavy-duty vehicles. In addition, the federal Inflation Reduction Act Direct Pay tax credit program provides up to \$7,5000 per vehicle and 30% of the cost of the charger, or \$3,099.75. As a result, if approved for these credits and rebates, the final price could be considerably lower.

Vehicle	Base Price	IRA Tax Credit	BPU Clean Fleet Rebate	Final Cost Per Unit	Total Units	Final Cost
E-Transit Cargo Van	\$56,983.45	\$7,500.00	\$10,000.00	\$39,483.45	3.00	\$118,450.35
Charging Station	\$10,332.50	\$3,099.75	\$4,000.00	\$3,232.75	1.00	\$3,232.75
						<b>\$121,683.10</b>

The vehicles will be used by the Maintenance and Crane departments.

**RECOMMENDATION**

Staff recommends Board approval to purchase three EV (3) Ford E-Transit Cargo vans and requisite chargers for the total cost of \$206,165.61.





**ACTION ITEM:**

**J. RESOLUTION 2025-02-0035: APPROVAL TO PURCHASE ONE (1) 2025 CHRYSLER PACIFICA PLUG-IN HYBRID MINIVAN**

**REQUEST**

Staff requests Board approval to purchase one (1) 2025 Chrysler Pacifica plug-in hybrid minivan.

**BACKGROUND**

Governor Murphy signed S2252 on January 17, 2020, a law that requires, among other things, at least 25 percent of all State-owned non-emergency light-duty vehicles shall be plug-in electric vehicles by December 31, 2025. The Port is required to purchase nine total plug-in electric vehicles to meet its obligation under these regulations.

Nielsen of Morristown submitted a proposal utilizing NJ State Contract # 24-FLEET-85678. The price is \$55,830.50.

The vehicle requires a charger, for an additional cost of 10,332.50.

There are State and federal tax credits and rebates available that the Port intends to take advantage of to help defray the cost of these purchases. The NJ Board of Public Utilities Clean Fleet EV Program offers up to \$4,000 for each vehicle, as well as up to \$4,000 towards the cost of the charger. In addition, the federal Inflation Reduction Act Direct Pay tax credit program provides up to \$7,5000 per vehicle and 30% of the cost of the charger, or \$3,099.75. As a result, if approved for these credits and rebates, the final price could be considerably lower.

Vehicle	Base Price	IRA Tax Credit	BPU Clean Fleet Rebate	Final Cost Per Unit	Total Units	Final Cost
Chrysler Pacifica Plug-In	\$49,716.00	\$7,457.00	\$4,000.00	\$38,259.00	1.00	\$38,259.00
Charging Station	\$10,332.50	\$3,099.75	\$4,000.00	\$3,232.75	1.00	\$3,232.75
						<b>\$41,491.75</b>

The vehicle will be used by the Maintenance and Crane departments.

**RECOMMENDATION:**

Staff recommends Board approval to purchase one (1) Chrysler Pacific plug-in hybrid minivan and requisite charger for the cost of \$66,163.



**ACTION ITEM:**

**K. RESOLUTION 2025-02-0036: APPROVAL TO ADVERTISE FOR FACILITY SECURITY AUDITOR**

**REQUEST**

Staff is requesting Board approval to advertise, via a Request for Proposals, for a services contract to perform an independent security audit of port security at the South Jersey Port Corporation's ("SJPC") Balzano and Broadway Marine Terminals.

**BACKGROUND**

The challenge for most Marine Terminals is to remain in compliance with annual security requirements. The complex requirements mandated by 33 CFR 105.205 Facility Security Officer; and CFR 105.415 Amendment and Audit, establishes a baseline security profile for SJPC's facilities. Failure to comply with these requirements may severely impact SJPC's ability to continue regular operations. Penalties for failure to comply with the requirements range from warnings to monetary penalties to as much as \$35,486 per violation. Accordingly, in order to remain in compliance with all applicable security requirements governing Marine Terminals, it is necessary for SJPC to engage, via a publicly advertised Request for Proposals, a firm/entity that is experienced in, and provides, port security services including security audits.

**RECOMMENDATION:**

Staff is recommending the Board approve of the advertisement, via a Request for Proposals for a services contract with a firm/entity that provides Marine Facility security services, including security audits, for the Balzano and Broadway Marine Terminals.



**ACTION ITEM:**

**L. RESOLUTION 2025-02-0037: APPROVAL TO ADVERTISE FOR CONFLICT COUNSEL TO REPRESENT AND PROVIDE PROFESSIONAL LEGAL SERVICES TO AND FOR THE SOUTH JERSEY PORT CORPORATION**

**REQUEST**

Staff requests Board approval to publicly advertise, via a Request for Proposals (“RFP”), for Conflict Counsel to represent, and provide professional legal services to and for, the South Jersey Port Corporation (“SJPC”), in connection with all matters in which SJPC’s General, Labor, Maritime or other Counsel has a conflict, and thereby is unable to represent the SJPC.

**BACKGROUND**

The decision to engage Conflict Counsel to represent and provide professional legal services to and for the SJPC lies solely with the Board. The SJPC is in need of Conflict Counsel to handle all matters that arise in which the SJPC’s current General, Labor and Maritime Counsel has a conflict which precludes their representation of the SJPC. The SJPC currently has counsel engaged to represent it in matters in which General, Labor and Maritime Counsel has a conflict; but the law firm currently engaged by the SJPC as its Conflict Counsel is a holdover. When SJPC last advertised via RFP for the professional legal services of a Conflict Counsel, no contract was awarded for such services. Thus, recommendation is made that SJPC advertise via RFP for proposals for law firms experienced in, and able to provide, legal services to and for the SJPC when SJPC’s current General, Labor or Maritime Counsel has a conflict.

**RECOMMENDATION:**

Staff recommends Board approval to publicly advertise, via RFP, for Conflict Counsel to represent, and provide professional legal services to and for, the SJPC, in connection with all matters in which SJPC’s General, Labor or Maritime, or other Counsel has a conflict, and thereby is unable to represent the SJPC.



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**INFORMATION ITEM:**

**M. 2025 – NJ EMISSION REDUCTION REGULATIONS**

**Cargo Handling Equipment at Ports and Rail Yards**

On February 6, 2023, New Jersey adopted the Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards rule. This rule requires that beginning on March 1, 2025, all “new cargo handling equipment,” defined as any mobile off-road, self-propelled vehicle, or equipment with a diesel-fueled CI engine used at a port or intermodal rail yard to lift or move container, bulk, or liquid cargo carried by ship, train, or another vehicle, or used to perform maintenance and repair activities that are routinely scheduled or that are due to predictable process upsets, brought into a regulated facility must have either a Tier 4 Final off-road engine, or an on-road engine meeting the 2010 or newer on-road emission standards. Zero-emission equipment complies with these regulations.

Beginning March 1, 2025, all Tier 0 equipment must be replaced, and it continues on an aggressive schedule each year from there. Refer to the compliance schedule below.

Cargo handling equipment with an on-road engine	Cargo handling equipment with an off-road engine	Compliance deadline
Pre-1998 model year	Tier 0	March 1, 2025
1998-2003 model year	Tier 1	March 1, 2026
2004-2006 model year	Tier 2	March 1, 2027
2007-2009 model year	Tier 3 and Tier 4 interim	March 1, 2028

Compliance with these regulations comes with a considerable financial cost. Staff is currently working with NJ Department of Environmental Protection (NJDEP) staff on a grant package to fund the purchase of equipment to replace all the Tier 0 and some Tier 1 equipment this year. NJDEP will be granting the Port an Administrative Consent Order extending the deadline to comply with the Tier 0 requirement. Funding to comply with the remaining schedule will need to come either from the State or through various grant programs.

**Increased Use of Plug-In Electric Vehicles**

Governor Murphy signed S2252 on January 17, 2020, a law that requires, among other things, at least 25 percent of all State-owned non-emergency light-duty vehicles shall be plug-in electric vehicles by December 31, 2025. The Port is required to purchase nine total plug-in electric vehicles to meet its obligation under these regulations.

There are State and federal tax credits and rebates available that the Port intends to take advantage of to help defray the cost of these purchases, including the NJBPU Clean Fleet program, NJEDA Zip program, and federal IRA Direct Pay credit program.



**INFORMATION ITEM:**

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

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**Board of Directors Meeting – February 25, 2025**

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**INFORMATION ITEM:**

**O. SECURITY UPDATE:**



**INFORMATION ITEM:**

**P. 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**