

10209. RESOLUTION 10-30 – AUTHORIZES PROJECT FUNDING AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR CAPE MAY-LEWES FERRY, CAPE MAY APPROACH ROAD REHABILITATION

WHEREAS, The Delaware River and Bay Authority (the "Authority") is a the operator of the Cape May-Lewes Ferry System across the Delaware Bay (the "Ferry"); and

WHEREAS, the Congress of the United States has enacted the Transportation Equity Act for the 21st Century (TEA-21), which encourages activities that enhance the nation's multi-modal transportation systems; and

WHEREAS, marine highway transportation activities include the design and construction of new and renovated ferry terminals and ferry boats; and

WHEREAS, TEA-21 as amended by the Surface Transportation Extension Act of 2004 (STEA04) authorizes the application of federal Ferry Boat Discretionary Program (FBD) funding for such transportation projects; and

WHEREAS, the State of New Jersey (the "State") through its Department of Transportation has received non-competitive setaside FBD funds for marine highway systems that are part of the National Highway System under Section 1101 of TEA-21 as amended by STEA04; and

WHEREAS, the approach roads of the existing Cape May Ferry Terminal are in need of rehabilitation; the existing surface of said roads exhibiting significant spalling and cracking; and

WHEREAS, the Authority has submitted a proposal for the rehabilitation of said approach roads at the existing Cape May Ferry Terminal so as to enhance the usage of the Ferry across the Delaware Bay (which proposal is hereinafter referred to as the "Project"); and

WHEREAS, the State has determined that the Project proposed by the Authority will facilitate the movement of passengers and goods across the Delaware Bay between the States of Delaware and New Jersey; and

WHEREAS, the Authority submitted a Ferry Boat Candidate Project Summary Fact Sheet to the State requesting \$2,292,764.00 in Federal Highway Administration FBD funds to finance the Project; and

WHEREAS, the Authority and the State, pursuant to a Project Funding Agreement, propose to specify the conditions applicable to the financing of the Project pursuant to TEA-21 and set forth the obligations of the Authority and the State with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized, with the advice of counsel, to negotiate the terms and conditions of a Project Funding Agreement with the State for the rehabilitation of approach roads servicing the Cape May-Lewes Ferry, and to execute such Agreement on behalf of the Authority.

A motion to approve Resolution 10-30 was made by Commissioner Van Sant, seconded by Commissioner Murphy, and approved by a roll call vote of 10-0.