

**PHILADELPHIA REGIONAL PORT AUTHORITY**

**Minutes of the Philadelphia Regional Port Authority  
Board of Directors Meeting**

**November 18, 2005**

**Philadelphia Regional Port Authority Board Members Present:**

Chairman Brian Preski, Boise Butler, John Cuff, Thomas Kelly, Charles Marshall, James McErlane, Chad Rubin, Herb Vederman, Harry Williams

**Philadelphia Regional Port Authority Board Members Absent:**

Frank Gillen, Michael Rashid

**Philadelphia Regional Port Authority Staff Present:**

James T. McDermott, Jr., Robert Blackburn, Jack Dempsey, George Fedorijczuk, Edward Henderson, Donna Huston, Greg Iannarelli, Charles Lawrence, Sean Mahoney, William McLaughlin, Joseph Menta, Joseph Petruzzi, Marian Simpson, Kate Tierney, Nicholas Walsh

**Commonwealth of Pennsylvania:**

Rep. Bill Keller, Herbert Packer, Joseph Lawruk

**Others:**

Susan Howland, Leo Holt, Michael Meehan, Robert Borski, Tim O'Neill, Chuck McDonald

The November meeting of the Board of Directors of the Philadelphia Regional Port Authority was held on November 18, 2005 at 9:30 a.m. in the office of the Philadelphia Regional Port Authority, 3460 North Delaware Avenue, Philadelphia, PA.

Chairman Preski called the meeting to order and immediately adjourned to an Executive Session.

The Public Session was reconvened and the first order of business was the approval of the minutes of September 16, 2005 meeting. A motion was made, seconded and approved.

**RESOLUTIONS:**

**#27 Amendment to Orbital Engineering, Inc. Contract to Include Development of Site Preparation Specifications at Pier 74 South Annex**

Mr. Lawrence said staff is proposing to retain Orbital Engineering, Inc. to prepare technical specifications for the demolition of a concrete slab that was discovered during the environmental study in preparation for the construction of a new warehouse at Pier 74. He added that Orbital is a licensed and qualified engineering firm currently serving as the construction management team for the building construction.

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority (the "Authority") has been authorized under Section 6 of the Act of July 10, 1989, P.L. 55 P.S. Sections 697.1 – 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the "PRPA Act") to make and enter into contracts in furtherance of its purposes; and

**WHEREAS**, Section 11(d) of the PRPA Act sets out procedures whereby such contracts may be awarded for professional services in furtherance of the powers and duties of the Authority without competitive bidding; and

**WHEREAS**, by way of Resolution 2005-17, the Board authorized retention of Orbital Engineering, Inc. (the "Contractor") to perform design and construction management services in connection with the construction of a 200,000 square foot warehouse to be located at Pier 74 South Annex; and

**WHEREAS**, the existence of a concrete pad under approximately four feet of overburden was discovered on approximately eighty percent of Pier 74 Annex; and

**WHEREAS**, demolition of the concrete pad and removal of the overburden are required prior to design and construction of the proposed warehouse; and

**WHEREAS**, the staff of the Authority requested a cost proposal from the Contractor for the development of site preparation specifications; and

**WHEREAS**, the staff of the Authority has determined the additional work as reasonable and consistent with rates charged; and

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 3**

**WHEREAS**, the Board of the Authority has determined, on the basis of information provided to it (which information is attached hereto as Exhibit “A” and incorporated herein by reference), to amend the professional services contract with the Contractor for the development of site preparation specifications in the amount of \$16,400.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Authority amend the agreement with the Contractor to include the development of site preparation specifications as described in Exhibit “A” for the additional amount not to exceed \$16,400.
2. The Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to negotiate the specific terms and conditions of the agreement, and the Executive Director is hereby authorized and directed to execute, acknowledge and deliver on behalf of the Authority any agreements, documents or other instruments as may be necessary to effectuate the purposes of this Resolution.

The motion was made, seconded and approved. Resolution No. 2005-17 and Exhibit “A” on file with the Authority.

**#28 Approval of Foreign Trade Zone Boundary Modification Application**

Mr. Walsh said Menash Contract Packaging is seeking general-purpose foreign trade zone status for packaging, repackaging, converting and/or storage of third-party imported goods. The Philadelphia Regional Port Authority is the grantee of FTZ No. 35 and as such must submit the application for the zone in its name.

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority (the “Authority”) was established under the Act of July 10, 1989, P.L. 55 P.S., Sections 697.1 – 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the “PRPA Act”) to increase commerce, expand industrial and commercial activities of port related projects to promote economic growth within the Commonwealth of Pennsylvania; and

**WHEREAS**, the Authority is the Grantee of Foreign-Trade Zone 35 (“FTZ No. 35”); and

**WHEREAS**, Menasha Packaging Company, LLC (“Menasha”), who conducts warehousing operations in the Port of Philadelphia, has expressed an interest in operating a

general purpose Foreign-Trade Zone and seeks to have its facility designated for Foreign-Trade Zone use, a copy of the request is attached hereto and incorporated by reference; and

**WHEREAS**, the Authority as grantee of FTZ No. 35 must submit an application to the Foreign-Trade Zones Board for any such designation; and

**WHEREAS**, the Board of the Authority has determined on the basis of information provided by its staff to submit an application to the Foreign-Trade Zones Board for a modification to FTZ No. 35.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to submit an application to the Foreign-Trade Zones Board for a modification to FTZ No. 35.
2. The Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to execute, acknowledge and deliver on behalf of the Authority any documents or other instruments as may be necessary to effectuate the purposes of this resolution.

The motion was made, seconded and approved. Resolution No 2005-28 and Exhibit "A" on file with the Authority.

**#29 Approval of Foreign-Trade Zone Expansion Application**

Mr. Walsh said Merck and Company is requesting the concurrence of the Philadelphia Regional Port Authority, as Grantee of Foreign-Trade Zone #35, regarding a proposed expansion of the existing Merck subzone at West Point, PA.

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority (the "Authority") was established under the Act of July 10, 1989, P.L. 55 P.S., Sections 697.1 – 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the "PRPA Act") to increase commerce, expand industrial and commercial activities of port related projects to promote economic growth within the Commonwealth of Pennsylvania; and

**WHEREAS**, the Authority is the Grantee of Foreign-Trade Zone 35 ("FTZ No. 35"); and

**WHEREAS**, Merck & Company, Inc., operates a subzone that is part of FTZ No. 35; and

**WHEREAS**, Merck & Company, Inc., is in the process of expanding its operations at its West Point facility in Pennsylvania; and

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 5**

**WHEREAS**, Merck & Company, Inc., seeks to modify the boundaries of the subzone to include the upcoming expansions; and

**WHEREAS**, Merck & Company, Inc., requests that the Authority submit an application to the Foreign-Trade Zones Board to expand Subzone 35B in accordance with the plant expansions planned by Merck & Company, Inc., a copy of which is attached and incorporated by reference; and

**WHEREAS**, the Board of the Authority has determined on the basis of information provided by its staff to submit an application to the Foreign-Trade Zones Board for the expansion of Subzone 35B.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to submit an application to the Foreign-Trade Zones Board for the expansion of Subzone 35B.
2. The Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to execute, acknowledge and deliver on behalf of the Authority any documents or other instruments as may be necessary to effectuate the purposes of this resolution.

The motion was made, seconded and approved with Mr. Chad Rubin abstaining from voting. Resolution No. 2005-29 and Exhibit "A" on file with the Authority.

**#30 Philadelphia Regional Port Authority Audit for 2004-2005**

Mr. Henderson said in early October PRPA staff met with the Audit Committee who approved the audit with no significant issues. Mr. Marshall added that the Audit Committee met with the auditors without PRPA staff present and they are satisfied with the performance of the auditors and the state of the audit.

Mr. Preski said PICA employees are paid through the PRPA which was an agreement made many years ago. He added that he has been in touch with the Governor office and PICA will no longer be paid through PRPA.

The motion was made, seconded as follows:

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 6**

**WHEREAS**, the Philadelphia Regional Port Authority (the “Authority”) has been authorized under Section 6 of the Act of July 10, 1989, P.L. 291, 55 P.S. Sections 697.1 – 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the “PRPA Act”) to make and enter into contracts in furtherance of its purposes; and

**WHEREAS**, Section 11(d) of the PRPA Act sets out procedures whereby such contracts may be awarded for professional services in furtherance of its powers and duties of the Authority without competitive bidding; and

**WHEREAS**, the Authority contracted with Zelenkofske Axelrod, LLC, the successful vendor of the Request for Proposal, to conduct financial audits for the PRPA; and

**WHEREAS**, the Board of the Authority has determined on the basis of information provided by its Audit Committee (see attachment) and staff to approve the Audited Financial Statement and Management Letter prepared by Zelenkofske Axelrod for Fiscal Year 2004-2005.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Authority approve the Financial Audit Report and Management Letter prepared by Zelenkofske Axelrod for Fiscal Year 2004-2005.

The motion was made, seconded and approved. Resolution No. 2005-30 on file with the Authority.

**#31 Contract for Public Relations and Port Promotions Initiatives with Davis Advertising, Inc.**

Mr. Menta said Davis Advertising has been the PRPA public relations firm for the past few years and they do a very fine job of designing PRPA’s Port Watch magazine as well as many other port publications. Staff is recommending renewing their contract.

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority (the “Authority”) has been authorized, under Section 6 of the Act of July 10, 1989, P.L. 291, 55 P.S. Sections 697.1 – 697.24, of the General Assembly of the Commonwealth of Pennsylvania (the “PRPA Act”) to make and enter into contracts in furtherance of its purposes; and

**WHEREAS**, Section 11(d) of the PRPA Act sets out procedures whereby such contracts may be awarded for professional services in furtherance of the powers and duties of the Authority without competitive bidding; and

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 7**

**WHEREAS**, the staff of the Authority desires to continue producing the PRPA Port Newsletter, (“Port Watch”); and

**WHEREAS**, Davis Advertising, Inc. (the “Contractor”) will continue to assist with other public relations initiatives to promote PRPA and its mission (which information is attached hereto as Exhibit “A”) and which Exhibit is made a part hereof by reference; and

**WHEREAS**, the Board of the Authority on January 12, 2001, based on information provided by its staff, authorized the retention of Davis Advertising, Inc. to enhance the Authority’s public relations and communications efforts; and

**WHEREAS**, the staff of the Authority wishes to renew the contract with Davis Advertising, Inc. effective January 1, 2006 through June 30, 2006; and

**WHEREAS**, the staff of the Authority has determined that Davis Advertising, Inc. has the requisite expertise and capacity to provide the services herein described.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Authority enter into an agreement with the Contractor to perform the services described in Exhibit “A”, inclusive of all services, supplies and materials as may be necessary or desirable with respect thereto, but in any event such agreement shall provide for total payments to the Contractor, inclusive of all expenses for which such Contractor is to be reimbursed by the Authority, to be not greater than \$20,000.
2. The Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to negotiate the specific terms and conditions of the agreement by which the services shall be provided as noted above, and the Executive Director is hereby authorized and directed to execute, acknowledge and deliver on behalf of the Authority any agreements, documents or other instruments as may be necessary to effectuate such arrangements.

The motion was made, seconded and approved with Mr. Chad Rubin abstaining from voting. Resolution No. 2005-31 and Exhibit “A” on file with the Authority.

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 8**

**#32 Union Contract with AFSCME, AFL-CIO District Council 33 – Local 1510**

Mrs. Houston said the union contract is a three-year contract with a 3 1/2 % raise and extended summer hours.

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority has been authorized under Section 6 (b) of the Act of July 10, 1989, P.L. 291, 55 P.S. Sections 697.1 – 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the PRPA Act) to appoint officers, agents and employees and to prescribe their duties and fix their compensation; and

**WHEREAS**, the Board of the Authority voted in Resolution No. 1990-24 to authorize the Executive Director, with the advice of Chief Counsel, to negotiate an agreement with District Council 33 of the American Federation of State, County and Municipal Employees, (Local 1510 which represents PRPA's maintenance staff) on behalf of the Authority; and

**WHEREAS**, the Executive Director with the advice of senior staff negotiated a contract with the Union for a term of three (3) years effective January 1, 2006 through December 31, 2008 with an annual 3.5% salary increase; and

**WHEREAS**, the Board of the Authority has determined, on the basis of information provided by the Executive Director and senior staff to approve the contract between Local 1510 and the Philadelphia Regional Port Authority.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Authority enter into an agreement with Local 1510, District Council 33, AFSCME, AFL-CIO to run from January 1, 2006 through December 31, 2008 under the terms and conditions set forth in the Contract
2. The Executive Director of the Authority, with the advice of Counsel, is hereby authorized and directed to negotiate the specific terms and conditions of an agreement with Local 1510, District Council 33, AFSCME, AFL-CIO, for the Authority pursuant to the terms of this Resolution.

The motion was made, seconded and approved. Resolution No. 2005-32 on file with the Authority.

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 9**

**#33 Contract Renewals for Five Outside Law Firms for PRPA Legal Services**

Greg Iannarelli said staff is requesting approval from the Board to retain all five outside law firms.

The motion was made, seconded as follows:

That the law firms of Reed Smith; Blank Rome; Obermayer, Rebmann, Maxwell & Hippel; Hoppel, Mayer & Coleman; Sand & Saidel be retained by the Authority as its outside councils. Chief Counsel to the Authority is authorized and directed to negotiate the specific terms and conditions of the services to be provided, and the Executive Director is authorized and directed to execute, acknowledge and deliver any agreements necessary from time to time to effectuate such arrangements.

The motion was made, seconded and approved. Resolution No. 2005-33 and Exhibit "A" on file with the Authority.

**#34 Resolution for Contracting Pier 98 Annex**

Chairman Preski said this Resolution was discussed in Executive Session and he abstained from voting and turned the chair over to Mr. Marshall who then asked for a motion.

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority (the "Authority") has been authorized under Section 6 of the Act of July 10, 1989, P.L. 55 P.S. Sections 697.1-697.24 of the General Assembly of the Commonwealth of Pennsylvania (the "PRPA Act") to make and enter into contracts in furtherance of its purposes; and

**WHEREAS**, the Authority owns Pier 98 Annex which remains mostly unused since Pasha Auto Warehousing vacated; and

**WHEREAS**, the Authority has received several inquiries for partial use of Pier 98 Annex; and

**WHEREAS**, the Board of the Authority by way of Resolution No. 2005-23 authorized the staff to enter into lease negotiations for portions of Pier 98 Annex with Penn Warehousing & Distributions, Delaware River Maritime Enterprise Council, and Astro Holdings, Inc.; and

**WHEREAS**, as a result of negotiations the prospective tenants, Astro Holdings, Inc., Penn City Investments, Inc. and Delaware River Maritime Enterprise Council submitted a letter

of intent to form a new business entity to contract for the formation of NEWCO with the PRPA; and

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 10**

**WHEREAS**, the Board of the Authority has determined, on the basis of information provided to it (which information is attached hereto as Exhibit “A” and incorporated herein by reference), to authorize the staff to enter into lease negotiations with the terms outlined in Exhibit “A” with the business entity NEWCO formed by Astro Holdings, Inc., Penn City Investments, Inc. and Delaware River Maritime Enterprise Council for the primary purpose of assisting the United States Military’s use of the facility and additionally the practical sharing of the facility.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Authority enter into a lease for Pier 98 Annex with NEWCO consistent with the terms outlined in Exhibit “A”.
2. The Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to negotiate the specific terms and conditions of the agreement, and the Executive Director is hereby authorized and directed to execute, acknowledge and deliver on behalf of the Authority any agreements, documents of other instruments as may be necessary to effectuate the purposes of this Resolution.

The motion was made, seconded and approved with Brian Preski abstaining from voting. Resolution No. 2005-34 and Exhibit “A” on file with the Authority.

**#35 Retention of Dovetail Enterprises, LTD to Upgrade Audio and Visual Capabilities in PRPA’s Main Conference Room**

Mr. McDermott said staff is requesting approval to renew the contract with Dovetail Enterprises to upgrade PRPA’s main conference room to allow staff to significantly improve the quality of official presentations. He added that the scope of work meets PRPA budget requirements.

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority (the “Authority”) has been authorized, under Section 6 of the Act of July 10, 1989, P.L. 291, 55 P.S. Sections 697.1 – 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the “PRPA Act”) to make and enter into contracts in furtherance of its purposes; and

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 11**

**WHEREAS**, Section 11(d) of the PRPA Act sets out procedures whereby such contracts may be awarded for professional services in furtherance of the powers and duties of the Authority without competitive bidding; and

**WHEREAS**, the Board of the Authority determined in Resolution No. 2001-22 to contract with Dovetail Enterprises, LTD (the "Contractor") to obtain the professional services of the Contractor, a Pennsylvania-based audio/visual company to outfit the PRPA main conference room with modern and efficient audio/visual equipment, as well as improved tele-conferencing abilities; and

**WHEREAS**, the staff of the Authority has determined that further upgrades are needed in PRPA's main conference; and

**WHEREAS**, the staff of the Authority has determined that the Contractor has the requisite expertise and capacity to provide the services herein described.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the authority enter into an agreement with the Contractor to perform the professional services described in Exhibit "A". The agreement shall provide for total payments to the Contractor for the services described, inclusive of all expenses, to be a maximum amount of \$20,000.00 as described in Exhibit "A".
2. The Executive Director of the Authority, with the advice of Chief Counsel, is hereby authorized and directed to negotiate the specific terms and conditions of the agreement, and the Executive Director is hereby authorized and directed to execute, acknowledge and deliver on behalf of the Authority any agreements, documents or other instruments as may be necessary to effectuate the purposes of this resolution.

The motion was made, seconded and approved. Resolution No. 2005-35 and Exhibit "A" on file with the Authority.

**#36 Finger Pier Condition Survey with Urban Engineers, Inc.**

Mr. Lawrence said there are some concerns regarding the safety and condition of PRPA's finger piers. Staff is recommending the retention of Urban Engineering to investigate these facilities.

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 12**

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority (the “Authority”) has been authorized under Section 6 of the Act of July 10, 1989, P.L. 55 P.S. Sections 697.1- 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the “PRPA Act”) to make and enter into contracts in furtherance of its purposes; and

**WHEREAS**, Section 11(d) of the PRPA Act sets out procedures whereby such contracts may be awarded for professional services in furtherance of the powers and duties of the Authority without competitive bidding; and

**WHEREAS**, the Board has determined to contract with Urban Engineers, Inc. to evaluate the finger piers from the waterside and the landside and provide recommendations as to the future of these facilities as described in Exhibit “A” (which information is attached and incorporated hereby reference); and

**WHEREAS**, the staff of the Authority has determined that Urban Engineers, Inc. (the “Contractor”) has the requisite expertise and capacity to provide the services herein described.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Authority enter into an agreement with the Contractor to perform the professional services described in Exhibit “A”. The agreement shall provide for total payments to the Contractor for evaluation services, inclusive of all expenses, for a maximum amount of \$91,000.
2. The Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to negotiate the specific terms and conditions of the agreement, and the Executive Director is hereby authorized and directed to execute, acknowledge and deliver on behalf of the Authority any agreements, documents or other instruments as may be necessary to effectuate the purposes of this Resolution.

The motion was made, seconded and approved with Mr. Rubin abstaining from voting. Resolution No. 2005-36 and Exhibit “A” on file with the Authority.

**#37 Contract for Fire Protection Engineering Services with Triad Fire Protection Engineering Corp.**

Mr. Lawrence said staff is requesting approval to retain Triad Fire Protection Engineering Corp. to provide technical assistance in reviewing the sprinkler systems and preparation of specifications under an on-call arrangement. PRPA is replacing sprinkler systems in the older buildings in order to comply with fire codes.

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority (the “Authority”) has been authorized under Section 6 of the Act of July 10, 1989, P.L. 55 P. S. Sections 697.1 – 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the “PRPA Act”) to make and enter into contracts in furtherance of its purposes; and

**WHEREAS**, Section 11(d) of the PRPA Act sets out procedures whereby such contracts may be awarded for professional services in furtherance of the powers and duties of the Authority without competitive bidding; and

**WHEREAS**, the Board of the Authority has determined in Resolution No. 2004-02 to contract with Triad Fire Protection Engineering, Corp. to obtain the professional services of Triad Fire Protection Engineering Corp. to perform on-call engineering services at various PRPA facilities; and

**WHEREAS**, the staff of the Authority proposes to renew their contract for the engineering services (which information is attached herein as Exhibit “A” and incorporated herein by reference); and

**WHEREAS**, the staff of the Authority has determined that Triad Fire Protection Engineering Corp. (the “Contractor”) has the requisite expertise and capacity to provide the services herein described.

**NOW, THEREFORE BE IT RESOLVED:**

1. That the Authority enter into an agreement with the Contractor to perform the professional services described in Exhibit “A”. The agreement shall provide for total payments to the Contractor for on-call engineering services, inclusive of all expenses, for a maximum amount of \$100,000.
2. The Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to negotiate the specific terms and conditions of the agreement,

and the Executive Director is hereby authorized and directed to execute, acknowledge and deliver on behalf of the Authority any agreements, documents or other instruments as may be necessary to effectuate the purposes of this Resolution.

The motion was made, seconded and approved. Resolution No. 2005-37 and Exhibit "A" on file with the Authority

**#38 Contract with Gottlieb, Barnett & Bridges, LLC for the Specification and Purchase of Container Crane**

Mr. Lawrence said Gottlieb, Barnett & Bridges is an engineering firm whose expertise is in container cranes. PRPA would like to start the process of purchasing two new post-panamax container cranes for the Packer Avenue Marine. Staff is recommending Gottlieb, Barnett & Bridges, LLC to prepare plans and specifications for bidding the additional cranes.

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority (the "Authority") has been authorized under Section 6 of the Act of July 10, 1989, P.L. 55 P.S., Sections 697.1 – 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the "PRPA Act") to make and enter into contracts with respect to port facilities, as such are defined in the PRPA Act, and generally in furtherance of purposes as stated in the PRPA Act; and

**WHEREAS**, Section 11(d) of the PRPA Act sets out procedures whereby such contracts may be awarded for professional services in furtherance of the powers and duties of the Authority without competitive bidding; and

**WHEREAS**, the Board of the Authority has determined on the basis of information provided by its staff (which information is attached hereto as Exhibit "A" and incorporated by reference) to obtain the professional services of Gottlieb, Barnett & Bridges, LLC (the "Contractor") to investigate the crane rail beam capacity at the Packer Avenue Marine Terminal for an amount not to exceed \$12,500.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Authority enter into an agreement with the Contractor to perform the professional services as described in Exhibit "A" inclusive of all services, supplies, materials and expenses as may be necessary or desirable with respect thereto in an amount not to exceed \$12,500.
2. The Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to negotiate the specific terms and conditions of any agreements necessary to implement this Resolution, and the Executive Director is hereby authorized and directed to execute, acknowledge and deliver on behalf of the Authority any agreements, documents or other instruments as may be necessary to effectuate such arrangements.

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 15**

The motion was made, seconded and approved. Resolution No. 2005-38 and Exhibit "A" on file with the Authority.

**#39 To Retain International Marketing Representatives to Promote the Philadelphia Regional Port Authority's Facilities and Services**

Mr. Mahoney said the Resolution is to renew the contract for six representatives that market the port around the world. The six representatives are seasoned professionals who meet with top officials of shipping lines. This year PRPA is adding a Chinese representative who will be in Philadelphia on December 7,8 and 9 and staff hopes that there will be an opportunity for board members to meet him. He is a tremendous asset to the PRPA and has put staff in touch with top officials of the Chinese shipping lines.

The motion was made, seconded as follows:

**WHEREAS**, the Philadelphia Regional Port Authority has been authorized, under Section 6 of the Act of July 10, 1989, P.L. 291, 55 P.S. Sections 697.1 – 697.24 of the General Assembly of the Commonwealth of Pennsylvania (the "PRPA Act") to make and enter into contracts with respect to port facilities, as such are defined in the PRPA Act, and generally in furtherance of its purposes as stated in the PRPA Act, and

**WHEREAS**, Section 11(d) of the PRPA Act sets out procedures whereby such contracts may be awarded for professional services in furtherance of the powers and duties of the Authority without competitive bidding; and

**WHEREAS**, 2(a) (8) of the Act sets forth PRPA's mission to provide effective marketing to maintain and attract new business for regional port activities and to stimulate international trade; and

**WHEREAS**, the Board of the Authority has determined on the basis of information provided by its staff that there exists a need for International Marketing Representatives to provide effective marketing of PRPA's facilities in said international markets; and

**WHEREAS**, the Board of the Authority has determined on the basis of information provided by its staff, to secure International Marketing Representatives to promote PRPA's facilities and services; and

**WHEREAS**, the Board of the Authority has determined that a budget to retain International Marketing Representatives in said regions is not to exceed \$305,000.00 (being the total amount of all the contracts with projected services added therein) as shown in Exhibit "A".

**Philadelphia Regional Port Authority  
Minutes of the Board Meeting  
November 18, 2005  
Page 16**

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Executive Director of the Authority, with the advice of its Chief Counsel, is hereby authorized and directed to negotiate the specific terms and conditions of the agreement by which the services shall be provided as noted above, and the Executive Director is hereby authorized and directed to execute, acknowledge and deliver on behalf of the Authority any agreements, documents or other instruments as may be necessary to effectuate such agreements.

The motion was made, seconded and approved. Resolution No. 2005-39 and Exhibit "A" on file with the Authority.

**UPDATE:**

Marketing Report

Mr. Mahoney said cargo is up 15% so far this year. He then highlighted the highs and lows for each commodity.

There being no further business to come before the Board the meeting was adjourned.

Submitted,

Simpson  
the Board of Directors

Respectfully

Marian  
Secretary for

