



CHESAPEAKE BAY BRIDGE AND TUNNEL COMMISSION

**Regular Meeting
CBBT Administration Building**

January 10, 2023

9:30 a.m.

Minutes

Commission Members Physically Present: Frederick T. Stant, III; John F. Malbon; Chris O. Snead; Karen S. James; Reeves W. Mahoney; Gregory L. Duncan, Sr.; William H. Ferguson; Phillip R. Custis; Mark C. Bundy.

District Staff Present: Jeffrey B. Holland; Thomas R. Anderson, III; Michael T. Crist, P.E.; Edward A. Spencer; Brittany E. Cannon.

Commission Members Telephonically Present: Jeffrey A. Rowland, location: Chesapeake, reason for electronic participation: conflict with meetings at place of business.

Commission Members Absent: Keith Colonna.

District Advisors Present: Hugh L. Patterson, Commission Counsel.

Guests Present: Stephen A. Johnsen, Alumni Commissioner.

1. CALL TO ORDER:

The Chairman, Frederick T. Stant, III, called the meeting to order at 9:30 a.m. and welcomed everyone.

2. APPROVAL OF MINUTES – NOVEMBER 9, 2022 MEETING, as distributed:

Motion made by Mr. Duncan, seconded by Mr. Ferguson, to approve the minutes of the November 9, 2022 Commission meeting, as distributed. The motion was approved unanimously. Absent: Mr. Colonna

3. PUBLIC COMMENT:

There were no public comments to be heard, nor any comments submitted in writing prior to the meeting.

4. TRAFFIC & REVENUE REPORT – NOVEMBER & DECEMBER, TRAFFIC:

Mr. Holland reported that traffic for November 2022 totaled 326,013 vehicles, which was a decrease of 10,844 vehicles or -3.2% under November 2021. E-ZPass utilization totaled 75.5%. Revenue for November 2022 totaled \$4,969,466 which was a decrease of \$188,459 or -3.7% under November 2021. Gas prices were \$3.54 in November 2022, versus \$3.34

in November 2021. There were 24 hours of wind restrictions in November 2022, versus 13 hours in November 2021. There were 126 hours of tunnel lane closures in November 2022, versus 80 hours in November 2021.

Traffic for December 2022 totaled 309,215 vehicles, which was a decrease of 4,399 vehicles or -1.4% under December 2021. E-ZPass utilization totaled 75.7%. Revenue for December 2022 totaled \$4,681,956, which was a decrease of \$111,699 or -2.3% under December 2021. Gas prices were \$3.09 in December 2022, versus \$3.26 in December 2021. There were 14 hours of wind restrictions in December 2022, versus 13 hours in December 2021. There were 110 hours of tunnel lane closures in December 2022, versus 60 hours in December 2021.

For the calendar year-to-date through December 2022, vehicles were down -1% and revenue was down, -0.7%. For the fiscal year-to-date through December 2022, vehicles were down -3.1% and revenue was down -2.8%.

Chief Spencer reported that on Monday, December 19 at 5:31 a.m., at approximately Mile Post 4 a northbound vehicle failed to stop for roadwork detail striking another vehicle in the rear causing a chain reaction involving 4 vehicles. There were three personal injuries, approximately \$55,000 in vehicle damages and no damages to District property. The driver at fault was issued a summons for reckless driving.

5. ELECTION OF OFFICERS:

Ms. Snead reported that during the recent Nominating Committee meeting, Mr. Colonna declared the motion to elect Mr. Frederick T. Stant, III, as Chairman, Mr. John F. Malbon, as Vice Chairman and Mr. Gregory L. Duncan as Secretary-Treasurer, effective March 1, 2023 through February 29, 2024 by email. The motion was seconded by Ms. Snead and unanimously carried. Ms. Snead presented the proposed slate of Officers that the Nominating Committee (Colonna, Snead) recommended, which included Mr. Stant as Chairman, Mr. Malbon as Vice Chairman and Mr. Duncan as Secretary-Treasurer.

Motion made by Mr. Ferguson, seconded by Mr. Rowland, to elect Mr. Frederick T. Stant, III, as Chairman, Mr. John F. Malbon, as Vice Chairman and Mr. Gregory L. Duncan as Secretary-Treasurer, effective March 1, 2023 through February 29, 2024. The motion was approved unanimously. Absent: Mr. Colonna

6. ACTUAL TO BUDGET 6 MONTHS JULY 1, 2022 – DECEMBER 31, 2022:

Mr. Anderson reported that for the six months ended December 31, 2022, actual expenditures totaled \$8,199,714; budgeted expenditures totaled \$8,829,400; with a variance of \$629,686 or -7.1% under budget.

7. AWARD FOR MISCELLANEOUS ENGINEERING SERVICES:

Mike Crist reported that the District advertised to receive request for proposals for miscellaneous engineering services at the end of September. District staff recommends award of a one year, on call, contract to Moffatt & Nichol to supplement, not replace, the current General Consulting Engineering Services (GCES) contract with Jacobs Engineering Services.

On motion by Ms. Snead, seconded by Mr. Duncan, and unanimously carried, the Commission awarded miscellaneous engineering services to Moffatt & Nichol at a one year, on call contract. Absent: Mr. Colonna

8. WIND ENERGY EVALUATION BY THE LITTLE CREEK COMMITTEE:

Mr. Crist reported that the District has received interest from local entities that are requesting to obtain or lease the Little Creek property. He reminded the Commission that the Little Creek property is very beneficial for the District. The District utilizes the property for a major construction lay down area; it is the closest harbor for most waterborne work to the facility. CTJV will need the property through 2026. The District plans to maintain ownership of the property and will consider options for other maritime/industrial uses (leases) when available.

9. EMERGENCY PULL OFF CAMERAS:

Mr. Crist provided the Commission a demonstration of the newly installed custom cameras and the software's capabilities.

10. UPDATE ON VTIB & TIFIA PROCEEDS & INVESTMENT:

Mr. Anderson reported on the opportunity to arbitrage on the TIFIA proceeds. The District was able to take down the entire \$387,192,182 in an FHLB discount note at a yield of 2.12%. The trade will produce approximately \$8,891,330 million in interest earnings.

11. PARALLEL THIMBLE SHOAL TUNNEL EXPENDITURES TO DATE:

Mr. Anderson presented the attached report of Project expenditures to date.

12. CLOSED MEETING – BRIEFING BY STAFF AND LEGAL RECOMMENDATIONS REGARDING DISPUTE MATTERS:

In accordance with Section 2.2-3711 of the Code of Virginia, Mr. Malbon moved that the Commission go into Closed Meeting under the provisions of Section 2.2-3711 of the Virginia Freedom of Information Act for the following purposes:

Section 2.2-3711.A 7. Briefing by Staff and Legal Recommendations Regarding Dispute Matters.

The motion was seconded by Mr. Ferguson, and unanimously carried.

Absent: Mr. Colonna

13. RETURN TO OPEN MEETING:

A roll call vote was taken pursuant to Section 2.2-3712.D. of the Code of Virginia immediately after reconvening in Open Meeting, at which time each member certified by his vote that to the best of his knowledge (i) only public business matters lawfully exempt from Open Meeting requirements under this chapter and (ii) only public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the meeting by the Commission. No member prior to the vote stated that he believed there was a departure from requirements (i) and (ii) Snead, yes; Custis, yes; Mahoney, yes; James, yes; Duncan, yes; Malbon yes; Rowland, yes; Bundy, yes; Ferguson, yes; Stant, yes.

14. ANNOUNCEMENTS:


- a. Mr. Holland announced that the Personnel and Finance Committees will hold a meeting in February and March. Following the Commission meeting, dates will be circulated for the committee members to coordinate availability.
- b. Mr. Holland announced that Allen Myers is a contender the 2022 Sheldon G. Hayes Award, outcomes will be provided at the March meeting.
- c. The Alumni Commission meeting is scheduled for February 22 at 10 A.M.
- d. The next meeting is scheduled for Tuesday, March 14, 2023.

15. ADJOURN:

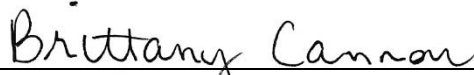
With no further business coming before the Commission, the meeting was adjourned.



John F. Malbon, Vice-Chairman



Frederick T. Stant, III, Chairman



Brittany E. Cannon, Assistant Secretary

Attachment

Parallel Thimble Shoal Tunnel Project
Total Project Budget
As of November 30, 2022

Project Tasks & Components	May 2021 Revised Budget	Total Expended To Date	Expended @ 10/31/22	Monthly Expenditures	Remaining Budget
<u>CBBT Development Phase</u>					
CBBT Development Phase Budget	18,524,560	18,524,560	18,524,560	-	-
<u>CBBT Financing Budget</u>					
Municipal Advisor	866,000	795,950	793,950	2,000	70,050
CBBT Financing Budget	3,912,210	3,842,160	3,840,160	2,000	70,050
<u>CBBT Construction Phase</u>					
Construction Mgmt	11,000,000	3,460,110	3,316,010	144,100	7,539,890
Project Counsel	2,000,000	245,910	240,230	5,680	1,754,090
Arbitration Counsel	3,000,000	807,500	741,500	66,000	2,192,500
Dispute Review Panel	1,500,000	456,370	456,370	-	1,043,630
Arbitration Panel	1,500,000				1,500,000
CNC/LUS Relocation	4,591,740	4,562,730	4,562,730	-	29,010
Garage	550,000	385,120	385,120	-	164,880
Fan Motor Control Center	4,000,000	2,544,510	2,544,510	-	1,455,490
CCTV Software Upgrade	500,000	400,940	400,940	-	99,060
Existing Tunnel Ventilation Study	250,000				250,000
Vent Buildings Emergency Power Upgrades	3,150,000	104,090	104,090	-	3,045,910
Design Mgmt/Design QA	9,583,200	6,013,830	5,933,900	79,930	3,569,370
Risk Management Consultant	125,000			-	125,000
District Project Management Staff	2,100,000	1,280,750	1,240,260	40,490	819,250
Commission General Counsel	125,000	13,940	13,940	-	111,060
Commission Approved District Development Expenses	550,000	341,230	339,710	1,520	208,770
Total CBBT Construction Phase Budget	44,524,940	20,617,030	20,279,310	337,720	23,907,910
<u>Design-Builder Construction Phase</u>					
Direct Construction Cost	756,703,840	438,952,080	430,746,080	8,206,000	317,751,760
5% Withholding	-	8,612,840	8,180,950	431,890	(8,612,840)
NCR Work Withholding	-	-	-	-	-
Total Design-Builder Construction Phase Budget	756,703,840	447,564,920	438,927,030	8,637,890	309,138,920
Project Contingency	101,125,174	-	-	-	101,125,174
Total Project Budget	924,790,724	490,548,670	481,571,060	8,977,610	434,242,054