



SPONSOR: Sen. Venables & Rep. Q. Johnson
Bushweller Keeley
Hall-Long Mulrooney
Sokola D.E. Williams
Bonini Ramone
Hocker Wilson

DELAWARE STATE SENATE
147th GENERAL ASSEMBLY

SENATE BILL NO. 145

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN STATUTORY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fourths of all members elected to each house thereof concurring therein):

- 1 **Section 1. Fiscal Year ~~2013~~ 2014 Capital Improvements Project Schedule Addendum.** The
2 General Assembly hereby authorizes the following projects in the following amounts for the purposes set forth
3 in this Section and as described in the Fiscal Year ~~2013~~ 2014 Governor's Recommended Capital Budget and
4 Project Information document. Any authorization balance (excluding Transportation Trust Fund balances)
5 remaining unexpended or unencumbered by June 30, ~~2015~~ 2016, shall be subject to reversion or reauthorization.

SECTION 1 ADDENDUM
FISCAL YEAR 2014 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANS. TRUST FUND REAUTH.	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
OFFICE OF MANAGEMENT AND BUDGET							
Minor Capital Improvement and Equipment	10-02-50	\$ 1,665,747	\$ 1,884,253	\$ -	\$ -	\$ -	3,550,000
Environmental Compliance (UST/Asbestos/Other)	10-02-50	-	-	-	-	340,374	340,374
Architectural Barrier Removal	10-02-50	-	-	-	-	150,000	150,000
New Troop 7 - Lewes	10-02-50	500,000	-	-	-	-	500,000
Local Law Enforcement	10-02-11	-	-	-	-	333,000	333,000
City of Wilmington - DMV Tiles	10-02-50	-	-	-	-	100,000	100,000
City of Wilmington - Animal Control Facility	10-02-50	-	-	-	-	250,000	250,000
Absolom Jones Community Center	10-02-50	-	-	-	-	100,000	100,000
DeIDOT General/Special Fund Transfer	10-02-11	-	2,560,000	-	-	2,550,000	5,110,000
<i>Legislative Project</i>							
LIS Upgrade	01-08-01	-	2,500,000	-	-	-	2,500,000
Infrastructure Investment Study	10-02-50	-	-	-	-	30,000	30,000
<i>Judicial Project</i>							
Minor Capital Improvement and Equipment	10-02-50	500,000	205,000	-	-	-	705,000
<i>State Projects</i>							
Minor Capital Improvement and Equipment	10-02-50	750,000	-	-	-	-	750,000
Minor Capital Improvement and Equipment - Veterans Home	10-02-50	-	-	-	-	50,000	50,000
<i>Health and Social Services Projects</i>							
Minor Capital Improvement and Equipment	10-02-50	1,971,100	3,499,400	-	-	-	5,470,500
Roof Replacement	10-02-50	4,876,053	-	-	-	-	4,876,053
DACSES Replacement and Equipment	10-02-05	2,528,300	-	-	-	-	2,528,300
Medicaid Management Information System	10-02-05	5,143,100	-	-	-	-	5,143,100
Delaware Client Information System (DCIS) Eligibility System Modification Project	10-02-05	7,930,000	-	-	-	-	7,930,000
<i>Services for Children, Youth and Their Families Projects</i>							
Family and Children Tracking System (FACTS) II	10-02-05	1,649,700	-	-	-	-	1,649,700
Roof Renovations	10-02-50	148,750	2,400,000	-	-	-	2,548,750
Minor Capital Improvement and Equipment	10-02-50	1,266,800	-	-	-	-	1,266,800
<i>Correction Projects</i>							
Minor Capital Improvement and Equipment	10-02-50	3,183,250	-	-	-	-	3,183,250
HRYCI New Kitchen - Construction	10-02-50	6,500,000	-	-	-	-	6,500,000
Prison Facilities Roof Replacement and Renovation	10-02-50	2,290,000	-	-	-	-	2,290,000
<i>Safety and Homeland Security Project</i>							
Minor Capital Improvement and Equipment	10-02-50	600,000	-	-	-	-	600,000
<i>Delaware National Guard Project</i>							
Minor Capital Improvement and Equipment	10-02-50	-	1,857,766	-	-	-	1,857,766
Subtotal:		\$ 41,502,800	\$ 14,906,419	\$ -	\$ -	\$ 3,903,374	\$ 60,312,593

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FISCAL YEAR 2014 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANS. TRUST FUND REAUTH.	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
DELAWARE ECONOMIC DEVELOPMENT OFFICE							
Delaware Strategic Fund	10-03-03	\$ -	\$ 4,500,000	\$ -	\$ -	\$ 27,500,000	\$ 32,000,000
Diamond State Port	10-03-03	-	8,000,000	-	-	-	8,000,000
Kent County Sports Complex	10-03-03	-	978,269	-	-	-	978,269
Riverfront Development Corporation	10-03-03	-	-	-	-	3,150,000	3,150,000
Subtotal:		\$ -	\$ 13,478,269	\$ -	\$ -	\$ 30,650,000	\$ 44,128,269
DELAWARE STATE HOUSING AUTHORITY							
Housing Development Fund - Affordable Rental Housing Program	10-08-01	\$ 6,000,000	\$ -	\$ -	\$ -	\$ -	\$ 6,000,000
Subtotal:		\$ 6,000,000	\$ -	\$ -	\$ -	\$ -	\$ 6,000,000
STATE							
Museum Maintenance	20-06-01	\$ 350,000	\$ -	\$ -	\$ -	\$ 200,000	\$ 550,000
World War II Memorial	20-01-02	-	-	-	-	50,000	50,000
Darley House - HVAC	20-06-01	-	-	-	-	25,000	25,000
Darley House - Fence and Walkway	20-06-01	-	-	-	-	20,000	20,000
Veterans Home Dining Room	20-09-01	860,000	-	-	-	-	860,000
Wilmington Institute Public Library	20-08-01	2,500,000	-	-	-	-	2,500,000
Claymont Public Library	20-08-01	1,400,000	-	-	-	-	1,400,000
Delmar Public Library	20-08-01	500,000	-	-	-	-	500,000
Lewes Public Library	20-08-01	1,500,000	-	-	-	-	1,500,000
Duck Creek Regional Library - Smyrna	20-08-01	100,000	-	-	-	-	100,000
Subtotal:		\$ 7,210,000	\$ -	\$ -	\$ -	\$ 295,000	\$ 7,505,000
FINANCE							
Video Lottery	25-07-01	\$ -	\$ -	\$ -	\$ -	\$ 8,000,000	\$ 8,000,000
Volunteer Firefighter Revolving Loan Fund	25-01-01	-	-	-	-	1,000,000	1,000,000
Subtotal:		\$ -	\$ -	\$ -	\$ -	\$ 9,000,000	\$ 9,000,000
HEALTH AND SOCIAL SERVICES							
Maintenance and Restoration	35-01-30	\$ 3,750,000	\$ -	\$ -	\$ -	\$ -	\$ 3,750,000
Subtotal:		\$ 3,750,000	\$ -	\$ -	\$ -	\$ -	\$ 3,750,000
SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES							
Maintenance and Restoration	37-01-15	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000
Subtotal:		\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000

SECTION 1 ADDENDUM
FISCAL YEAR 2014 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANS. TRUST FUND REAUTH.	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
CORRECTION							
Maintenance and Restoration	38-01-40	\$ 3,135,400	\$ -	\$ -	\$ -	\$ -	3,135,400
Subtotal:		\$ 3,135,400	\$ -	\$ -	\$ -	\$ -	3,135,400
NATURAL RESOURCES AND ENVIRONMENTAL CONTROL							
High Hazard Dam and Dike Repair/Replacement	40-03-04	\$ 4,210,200	\$ 834,800	\$ -	\$ -	\$ -	5,045,000
Debris Pits	40-04-04	-	-	-	-	750,000	750,000
Park and Wildlife Area Rehabilitation /Critical Facilities	40-03-02	3,500,000	470,000	-	-	-	3,970,000
Holts Landing Dredging	40-03-04	-	-	-	-	300,000	300,000
Oak Orchard Dredging	40-03-04	-	-	-	-	100,000	100,000
Dredging Little River in Little Creek	40-03-04	-	-	-	-	300,000	300,000
Owens Station	40-03-03	-	-	-	-	750,000	750,000
Monument Mounting - Cape Henlopen State Park	40-03-02	-	-	-	-	70,000	70,000
Fort Miles Museum	40-03-02	-	214,074	-	-	35,926	250,000
Shoreline and Waterway Management	40-03-04	-	-	-	-	3,865,500	3,865,500
Tax Ditches	40-03-04	-	-	-	-	1,148,700	1,148,700
Delaware Bayshore Initiative	40-01-01	-	-	-	-	500,000	500,000
Statewide Trails and Pathways	40-03-02	3,000,000	-	-	-	-	3,000,000
Conservation Cost Share	40-03-04	-	-	-	-	1,500,000	1,500,000
Clean Water State Revolving Fund	40-01-06	-	-	-	-	1,400,000	1,400,000
Critical Equipment for Operations	40-01-01	-	-	-	-	740,000	740,000
Redevelopment of Strategic Sites (NVF/Fort Dupont)	40-03-02	-	-	-	-	700,000	700,000
Subtotal:		\$ 10,710,200	\$ 1,518,874	\$ -	\$ -	\$ 12,160,126	\$ 24,389,200
SAFETY AND HOMELAND SECURITY							
Twin Engine Helicopter Lease/Payment	45-01-01	\$ -	\$ -	\$ -	\$ -	2,230,000	2,230,000
New Castle County Law Enforcement Firing Range	45-01-01	-	200,000	-	-	-	200,000
City of Wilmington - Wireless Conversion of Video Cameras	45-01-01	-	-	-	-	750,000	750,000
Subtotal:		\$ -	\$ 200,000	\$ -	\$ -	\$ 2,980,000	\$ 3,180,000
TRANSPORTATION							
Road System	55-05-00	\$ -	\$ -	\$ 34,013,848	\$ 80,524,700	\$ -	114,538,548
Grants and Allocations	55-05-00	-	-	-	21,750,000	-	21,750,000
Transit System	55-05-00	-	-	532,280	16,190,646	-	16,722,926
Support System	55-05-00	-	-	1,301,982	42,455,574	-	43,757,556
Subtotal:		\$ -	\$ -	\$ 35,848,110	\$ 160,920,920	\$ -	\$ 196,769,030

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FIRE PREVENTION COMMISSION							
Hydraulic Rescue Tools Replacement and Equipment	75-02-01	\$ -	\$ -	\$ -	\$ -	\$ 52,500	\$ 52,500
Subtotal:		\$ -	\$ -	\$ -	\$ -	\$ 52,500	\$ 52,500
NATIONAL GUARD							
Scannell Readiness Center Renovation	76-01-01	\$ -	\$ 528,000	\$ -	\$ -	\$ -	\$ 528,000
198th Regiment Readiness Center Renovation	76-01-01	-	541,500	-	-	-	541,500
Duncan Readiness Center Renovation	76-01-01	-	140,000	-	-	-	140,000
Subtotal:		\$ -	\$ 1,209,500	\$ -	\$ -	\$ -	\$ 1,209,500
UNIVERSITY OF DELAWARE							
Laboratories	90-01-01	\$ 4,000,000	\$ -	\$ -	\$ -	\$ -	\$ 4,000,000
Subtotal:		\$ 4,000,000	\$ -	\$ -	\$ -	\$ -	\$ 4,000,000
DELAWARE STATE UNIVERSITY							
Minor Capital Improvement and Equipment	90-03-01	\$ 4,000,000	\$ -	\$ -	\$ -	\$ -	\$ 4,000,000
Subtotal:		\$ 4,000,000	\$ -	\$ -	\$ -	\$ -	\$ 4,000,000
DELAWARE TECHNICAL AND COMMUNITY COLLEGE							
Collegewide Asset Preservation/MCI	90-04-01	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ 250,000
Excellence Through Technology	90-04-01	450,000	-	-	-	-	450,000
Campus Improvements - Owens Campus	90-04-02	825,000	-	-	-	-	825,000
Campus Improvements - Terry Campus	90-04-06	825,000	-	-	-	-	825,000
Campus Improvements - Stanton and Wilmington Campuses	90-04-05	1,650,000	-	-	-	-	1,650,000
Subtotal:		\$ 4,000,000	\$ -	\$ -	\$ -	\$ -	\$ 4,000,000

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EDUCATION							
Minor Capital Improvement and Equipment	95-01-01	\$ 10,893,200	\$ -	\$ -	\$ -	\$ -	10,893,200
Architectural Barrier Removal	95-01-01	160,000	-	-	-	-	160,000
Laurel, Construct 1,400 Student Combined HS/MS (76/24)	95-16-00	21,331,300	-	-	-	-	21,331,300
Laurel, Construct 1,200 Student Combined ES (76/24)	95-16-00	13,258,200	-	-	-	-	13,258,200
Laurel, Selected Demo/Renovate MS (76/24)	95-16-00	481,600	-	-	-	-	481,600
Milford, High School Agricultural Barn (100% State)	95-18-00	-	175,000	-	-	-	175,000
Appoquinimink, Silver Lake ES Roof MCI (60/40)	95-29-00	-	929,600	-	-	-	929,600
Woodbridge, Construct 700 Student HS (72/28)	95-35-00	15,131,500	-	-	-	-	15,131,500
Sussex Technical, Renovate District Office (60/40)	95-40-00	590,200	-	-	-	-	590,200
Sussex Technical, Renovate HS Industrial Shops (60/40)	95-40-00	2,049,500	-	-	-	-	2,049,500
Sussex Technical, HS HVAC Renovations (60/40)	95-40-00	810,000	-	-	-	-	810,000
Polytech, Renovation/Additions to HS (75/25)	95-39-00	4,409,400	-	-	-	-	4,409,400
Seaford, Seaford Senior HS Addition (75/25)	95-23-00	8,202,500	-	-	-	-	8,202,500
Red Clay, Renovate A.J. DuPont HS (60/40)	95-32-00	5,433,000	-	-	-	-	5,433,000
Red Clay, Renovate Cab Calloway School of the Arts (60/40)	95-32-00	5,313,900	-	-	-	-	5,313,900
Red Clay, Construct 600 Student ES (60/40)	95-32-00	5,821,500	-	-	-	-	5,821,500
Capital, Kent County Community School (KCCS) Renovate Main Building (100% State)	95-13-00	1,546,462	-	-	-	-	1,546,462
Capital, Renovate Central Middle School KCCS (100% State)	95-13-00	818,822	-	-	-	-	818,822
Capital, Renovate Booker T. Washington ES KCCS (100% State)	95-13-00	3,273,916	-	-	-	-	3,273,916
Indian River, Additions and Renovations to North Georgetown ES (60/40)	95-36-00	1,272,000	-	-	-	-	1,272,000
Indian River, Additions and Renovations to Long Neck ES (60/40)	95-36-00	1,272,000	-	-	-	-	1,272,000
Indian River, Additions and Renovations to East Millsboro ES (60/40)	95-36-00	447,600	-	-	-	-	447,600
Subtotal:		\$ 102,516,600	\$ 1,104,600	\$ -	\$ -	\$ -	103,621,200
TWENTY-FIRST CENTURY FUND							
Drinking Water State Revolving Fund (DHSS)	25-01-01	\$ -	\$ -	\$ -	\$ -	1,840,000	1,840,000
Subtotal:		\$ -	\$ -	\$ -	\$ -	1,840,000	1,840,000
GRAND TOTAL:		\$ 187,025,000	\$ 32,417,662	\$ 35,848,110	\$ 160,920,920	\$ 60,881,000	\$ 477,092,692

1 **Section 2. Authorization of Twenty-Year Bonds.** The state hereby authorizes the issuance of
 2 bonds, to which the state shall pledge its full faith and credit, such bonds to be issued in such principal
 3 amount as necessary to provide proceeds to the state in the amount of ~~\$184,485,000~~ \$187,025,000 and in
 4 the amount of ~~\$42,863,100~~ \$36,503,500 local share of school bonds. Bonds authorized to be used by this
 5 Section shall mature not later than 20 years from their date of issuance. The proceeds of such bonds, except
 6 for local share of school bonds, are hereby appropriated for a portion of the purposes set forth in the Section
 7 1 Addendum of this Act and summarized as follows:

8 Department, Agency, or Instrumentality	Amount
9 Office of Management and Budget	\$32,539,600 <u>\$41,502,800</u>
10 Delaware State Housing Authority	4,000,000 <u>6,000,000</u>
11 State	2,960,000 <u>7,210,000</u>
12 Health and Social Services	2,750,000 <u>3,750,000</u>
13 Services for Children, Youth and Their Families	200,000
14 Correction	3,135,400
15 Natural Resources and Environmental Control	7,500,000 <u>10,710,200</u>
16 National Guard	2,500,000
17 University of Delaware	3,000,000 <u>4,000,000</u>
18 Delaware State University	3,000,000 <u>4,000,000</u>
19 Delaware Technical and Community College	3,100,000 <u>4,000,000</u>
20 Education	119,800,000 <u>102,516,600</u>

21 Purpose	State Share	Maximum Local Share	Total Cost
22 Minor Capital Improvement and Equipment	\$10,343,800		\$10,343,800
23 Architectural Barrier Removal	160,000		160,000
24 Appoquinimink, Construct 840 Student ES — Odessa Campus (75/25)	621,800	\$207,300	829,100
25 Brandywine, Playground for Hanby/Bush (60/40)	75,000	50,000	125,000

1	Capital, Construct New 1,800 Student HS (70/30)	24,312,600	10,419,700	34,732,300
2	Laurel, Construct 1,400 Student			
3	Combined HS/MS (76/24)	21,331,300	6,736,200	28,067,500
4	Laurel, Construct 1,200 Student			
5	Combined ES (76/24)	6,629,100	2,093,400	8,722,500
6	Woodbridge, Construct 700 Student HS (72/28)	15,131,400	5,884,400	21,015,800
7	New Castle County VoTech,			
8	Renovate Howard HS (61/39)	4,401,300	2,813,900	7,215,200
9	Sussex Technical, Renovate HS Industrial Shops (60/40)	2,049,500	1,366,300	3,415,800
10	Sussex Technical, HS HVAC Renovations (60/40)	2,430,000	1,620,000	4,050,000
11	Polytech, Renovation/Additions to HS (75/25)	8,818,900	2,939,600	11,758,500
12	Seaford, Seaford Senior HS Addition (75/25)	16,405,000	5,468,300	21,873,300
13	Polytech, Renovate HS Supplemental (75/25)	391,900	130,700	522,600
14	Red Clay, Renovate A.I. DuPont HS (60/40)	1,318,700	879,100	2,197,800
15	Red Clay, Renovate Cab Calloway			
16	School for the Arts (60/40)	2,211,100	1,474,000	3,685,100
17	Red Clay, Construct 600 Student ES (60/40)	1,170,300	780,200	1,950,500
18	Capital, Kent County Community School (100% State)	1,998,300		1,998,300
19	Subtotal	\$119,800,000	\$42,863,100	\$162,663,100
20			TOTAL	\$184,485,000

21			<u>Maximum</u>	
22	<u>Purpose</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
23	<u>Minor Capital Improvement and Equipment</u>	\$10,893,200		\$10,893,200
24	<u>Architectural Barrier Removal</u>	160,000		160,000
25	<u>Laurel, Construct New 1,400 Student</u>			
26	<u>Combined HS/MS (76/24)</u>	21,331,300	\$6,736,200	28,067,500
27	<u>Laurel, Construct New 1,200 Student</u>			
28	<u>Combined ES (76/24)</u>	13,258,200	4,186,800	17,445,000
29	<u>Laurel, Selected Demo/Renovate MS (76/24)</u>	481,600	152,100	633,700
30	<u>Woodbridge, Construct New 700 Student HS (72/28)</u>	15,131,500	5,884,500	21,016,000

1	<u>Sussex Technical, Renovate District Office (60/40)</u>	590,200	393,500	983,700
2	<u>Sussex Technical, Renovate HS Industrial Shops (60/40)</u>	2,049,500	1,366,300	3,415,800
3	<u>Sussex Technical, HS HVAC Renovations (60/40)</u>	810,000	540,000	1,350,000
4	<u>Polytech, Renovation/Additions to HS (75/25)</u>	4,409,400	1,469,900	5,879,300
5	<u>Seaford, Seaford Senior HS Addition (75/25)</u>	8,202,500	2,734,200	10,936,700
6	<u>Red Clay, Renovate A.I. DuPont HS (60/40)</u>	5,433,000	3,622,000	9,055,000
7	<u>Red Clay, Renovate Cab Calloway</u>			
8	<u>School of the Arts (60/40)</u>	5,313,900	3,542,600	8,856,500
9	<u>Red Clay, Construct 600 Student ES (60/40)</u>	5,821,500	3,881,000	9,702,500
10	<u>Capital, Kent County Community School (KCCS)</u>			
11	<u>Renovate Main Building (100% State)</u>	1,546,462		1,546,462
12	<u>Capital, Renovate Central Middle School</u>			
13	<u>KCCS (100% State)</u>	818,822		818,822
14	<u>Capital, Renovate Booker T. Washington ES</u>			
15	<u>KCCS (100% State)</u>	3,273,916		3,273,916
16	<u>Indian River, Renovations/Additions to North</u>			
17	<u>Georgetown ES (60/40)</u>	1,272,000	848,000	2,120,000
18	<u>Indian River, Renovations/Additions to East</u>			
19	<u>Millsboro ES (60/40)</u>	447,600	298,400	746,000
20	<u>Indian River, Renovations/Additions to Long</u>			
21	<u>Neck ES (60/40)</u>	1,272,000	848,000	2,120,000
22	<u>Subtotal</u>	\$102,516,600	\$36,503,500	\$139,020,100
23			<u>TOTAL</u>	<u>\$187,025,000</u>

24 **Section 3. Appropriation of General Funds.** It is the intent of the General Assembly that
25 ~~\$51,572,504~~ \$59,041,000 be appropriated to the following departments of the State and in the following
26 amount for the purposes set forth in the Section 1 Addendum of this Act. Any funds remaining
27 unexpended or unencumbered by June 30, ~~2015~~ 2016, shall revert to the General Fund of the State of
28 Delaware.

1 Department, Agency, or Instrumentality	Amount
2 Office of Management and Budget	\$2,275,850 <u>\$3,903,374</u>
3 Delaware Economic Development Office	36,182,402 <u>30,650,000</u>
4 <u>State</u>	295,000
5 <u>State</u>	9,000,000
6 Natural Resources and Environmental Control	7,704,504 <u>12,160,126</u>
7 Safety and Homeland Security	4,637,348 <u>2,980,000</u>
8 Agriculture	400,000
9 Fire Prevention Commission	422,700 <u>52,500</u>
10 Delaware State University	250,000
11	TOTAL \$51,572,504 <u>\$59,041,000</u>

12 **Section 4. General Funds to Twenty-First Century Funds.** It is the intent of the General
13 Assembly that ~~\$1,853,600~~ \$1,840,000 be appropriated from General Funds to the Office of the
14 Secretary, Department of Finance (25-01-01) to be deposited into the Twenty-First Century Fund as
15 established by 29 Del. C. § 6102A. These funds shall be appropriated for the following purpose set
16 forth in the Section 1 Addendum to this Act:

17 Purpose	Amount
18 Drinking Water State Revolving Fund (DHSS)	\$1,853,600 <u>\$1,840,000</u>
19	TOTAL \$1,853,600 <u>\$1,840,000</u>

20 **Section 5. Appropriation of Bond Premium.** Notwithstanding the provisions of 29 Del. C.
21 §7414 (a), of the available premium from bonds or revenue notes sold after January 1, 2004,
22 \$22,669,127.07 shall be used in the following amount for the purpose set forth in the Section 1 Addendum
23 to this Act:

24 <u>Department, Agency, or Instrumentality</u>	<u>Amount</u>
25 <u>Office of Management and Budget</u>	
26 <u> DelDOT General/Special Fund Transfer</u>	<u>\$ 2,560,000.00</u>
27 <u> Legislative Project</u>	

1	(LIS Upgrade)	2,500,000.00
2	Health and Social Services	
3	Minor Capital Improvement and Equipment	3,499,400.00
4	Services for Children, Youth and Their Families	
5	Roof Renovations	2,400,000.00
6	Delaware National Guard	
7	Minor Capital Improvement and Equipment	1,000,000.07
8		
9	Delaware Economic Development Office	
10	Diamond State Port	8,000,000.00
11		
12	Natural Resources and Environmental Control	
13	High Hazard Dam and Dike Repair/Replacement	834,800.00
14	Park and Wildlife Area Rehabilitation/Critical Facilities	470,000.00
15	Fort Miles Museum	214,074.00
16		
17	Safety and Homeland Security	
18	New Castle County Law Enforcement Firing Range	200,000.00
19		
20	Education	
21	Milford, Milford HS Agricultural Barn	175,000.00
22	Appoquinimink, Silver Lake ES Roof MCI (60/40)	815,853.00
23		
24	TOTAL	\$ 22,669,127.07

25 **Section 6. General Fund Reprogramming.** (a) Notwithstanding the provisions of any other state
26 law, the General Assembly hereby directs the State Treasurer to deauthorize the remaining appropriation
27 balances, not in excess of the balances below from the following General Fund projects and reauthorizes the
28 funds to the department listed in subsection (b) of this Section, according to the purposes in the Section 1
29 Addendum to this Act.

30	Department, Agency, or Instrumentality	Appropriation Code	Amount
31	Delaware Economic Development Office		
32	Dover Civic Center	1999-10-03-03-10067	\$ 602,098.23
33	Delaware Civic Center	2005-10-03-03-10068	300,000.00
34	TOTAL		\$ 902,098.23

35 (b) Department, Agency, or Instrumentality Amount

36 Delaware Economic Development Office

1	<u>Department, Agency or Instrumentality</u>	<u>Appropriation Code</u>	<u>Amount</u>
2	<u>Delaware National Guard</u>		
3	<u>New Dagsboro Readiness Center</u>	<u>2011-76-01-01-50268</u>	<u>\$ 705,319.68</u>
4	<u>New Dagsboro Readiness Center</u>	<u>2012-76-01-01-50268</u>	<u>271,000.00</u>
5	<u>New Dagsboro Readiness Center</u>	<u>2013-76-01-01-50268</u>	<u>2,500,000.00</u>
6		<u>TOTAL</u>	<u>\$3,476,319.68</u>

7	<u>(b) Department, Agency or Instrumentality</u>	<u>Amount</u>
8	<u>Office of Management and Budget</u>	
9	<u>Minor Capital Improvement and Equipment</u>	<u>\$1,409,053.65</u>
10	<u>Delaware National Guard</u>	
11	<u>Minor Capital Improvement and Equipment</u>	<u>857,766.03</u>
12	<u>Scannell Readiness Center Renovation</u>	<u>528,000.00</u>
13	<u>198th Regiment Readiness Center Renovation</u>	<u>541,500.00</u>
14	<u>Duncan Readiness Center Renovation</u>	<u>140,000.00</u>
15		<u>TOTAL</u> <u>\$3,476,319.68</u>

16 **Section 10. Transfer to the State Treasurer’s Agency Bond Reversion Account.**

17	<u>Project</u>	<u>Project Appropriation Code</u>	<u>Amount</u>
18	<u>Capital Parking/Security</u>	<u>2006-10-02-50-50027</u>	<u>\$ 91,490.91</u>
19	<u>Correction MCI/Equipment</u>	<u>2003-10-02-50-50044</u>	<u>777.50</u>
20	<u>Bridgeville Library</u>	<u>2010-20-08-01-50019</u>	<u>151,104.30</u>
21	<u>Seaford District Library</u>	<u>2009-20-08-01-50230</u>	<u>68,129.25</u>
22	<u>South Coastal Library</u>	<u>2008-20-08-01-50234</u>	<u>25,406.81</u>
23	<u>Georgetown Library</u>	<u>2010-20-08-01-50352</u>	<u>154,709.61</u>
24	<u>DE Seashore Facility Enhancements</u>	<u>2006-40-03-02-50047</u>	<u>3,172.61</u>
25	<u>Hydraulic Tools</u>	<u>2010-75-02-01-50053</u>	<u>190.00</u>
26		<u>TOTAL</u>	<u>\$494,980.99</u>

27 **Section 11. Transfer from the State Treasurer’s Agency Bond Reversion Account.**

28 Notwithstanding the provisions of any other state law, the State Treasurer shall transfer, as funds
29 become available, the sum of \$680,200 from the State Treasurer’s Bond Reversion Account (94-12-05-03-
30 50015) to the following department in the following amount for the purpose set forth in the Section 1
31 Addendum to this Act.

1	<u>Department, Agency or Instrumentality</u>	<u>Amount</u>
2	<u>Office of Management and Budget</u>	
3	<u>Minor Capital Improvement and Equipment</u>	\$ 475,200
4	<u>Judicial Projects</u>	
5	<u>Minor Capital Improvement and Equipment/Security</u>	205,000
6		<u>TOTAL</u> <u>\$ 680,200</u>

7 **Section 12. Transfer to the State Treasurer’s School Bond Reversion Account.**

8	<u>Project</u>	<u>Project Appropriation Code</u>	<u>Amount</u>
9	<u>Renovate Reilly Brown ES</u>	<u>2008-95-10-00-50144</u>	<u>\$.26</u>
10	<u>Renovate/Add to McIlvane ES</u>	<u>2009-95-10-00-50326</u>	<u>.27</u>
11	<u>Renovate South ES</u>	<u>2008-95-15-00-50146</u>	<u>972.19</u>
12	<u>Harlan ES</u>	<u>2010-95-31-00-50053</u>	<u>44.56</u>
13	<u>Renovate Talley MS</u>	<u>2005-95-31-00-50213</u>	<u>140.00</u>
14	<u>Renovate HB Dupont MS</u>	<u>2007-95-32-00-50128</u>	<u>.19</u>
15	<u>Renovate Bancroft IS</u>	<u>2005-95-33-00-50169</u>	<u>2,973.00</u>
16	<u>Renovate Christiana HS</u>	<u>2006-95-33-00-50174</u>	<u>117.98</u>
17	<u>Renovate Maclary ES</u>	<u>2006-95-33-00-50197</u>	<u>3.20</u>
18	<u>Renovate Castle Hills</u>	<u>2010-95-34-00-50342</u>	<u>6,289.60</u>
19	<u>MCI</u>	<u>2010-95-75-00-50022</u>	<u>.03</u>
20		<u>TOTAL</u>	<u>\$ 10,541.28</u>

21 **Section 13. Transfer to the Local School District Debt Service Account.** Notwithstanding the
22 provisions of any other state law, the State Treasurer shall transfer, as funds become available, the sum of
23 \$3,581.69 from the State Treasurer’s School Bond Reversion Account (1994-12-05-03-50229) to the
24 following departments in the following amounts for the purposes set forth in the Section 1 Addendum to
25 this Act:

26	<u>Department, Agency or Instrumentality</u>	<u>Amount</u>
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1	<u>Department of Education</u>	
2	(Caesar Rodney School District Debt Service)	\$.11
3	(Lake Forest School District Debt Service)	194.44
4	(Brandywine School District Debt Service)	73.82
5	(Red Clay School District Debt Service)	.08
6	(Christina School District Debt Service)	1,237.67
7	(Colonial School District Debt Service)	2,075.57
8		<u>TOTAL \$ 3,581.69</u>

9 **Section 14. Transfer from the State Treasurer’s School Bond Reversion Account.**

10 Notwithstanding the provisions of any other state law, the State Treasurer shall transfer, as funds become
11 available, the sum of \$113,747 from the State Treasurer’s Bond Reversion Account (94-12-05-03-50229) to
12 the following department in the following amount for the purpose set forth in the Section 1 Addendum to
13 this Act.

14	<u>Department, Agency or Instrumentality</u>	<u>Amount</u>
15	<u>Department of Education</u>	
16	(Appoquinimink, Silver Lake ES, Roof MCI)	\$ 113,747
17		<u>TOTAL \$ 113,747</u>

18 **Section 15. Continuing Appropriations.** For the fiscal year ending June 30, ~~2012~~ 2013, any
19 sums in the following accounts shall remain as continuing appropriations and shall not be subject to a
20 reversion until June 30, ~~2013~~ 2014.

21	<u>Fiscal Year</u>	<u>Appropriation</u>	<u>Remarks</u>
22	2009	10-02-05-10004	Technology Fund
23	2008/2009	10-02-05-50006	800 MHZ
24	2007	10-02-06-50014	Advanced Planning
25	2011	10-02-50-10020	MCI Judicial
26	2011	10-02-50-10023	MCI / DHSS
27	2011	10-02-50-10025	MCI / DSHS
28	2011	10-02-50-10027	MCI / DSCYF
29	2011	10-02-50-10031	MCI / Correction
30	2011	10-02-50-10040	Environmental Compliance
31	2011	10-02-50-10041	Architectural Barrier

1	2009	10-02-50-10048	Psych Hosp Def Maint
2	2009 <u>2011</u>	10-02-50-10051	Veterans Home
3	2011	10-02-50-10228	Local Law Enforcement
4	2006	10-02-50-50027	Capital Parking/Security
5	2003/11	10-02-50-50044	Correction MCI/Equipment
6	2011	10-02-50-50045	DPC Roof Replacement
7	2006	10-02-50-50071	Howard R. Young Center
8	2009/10/11	10-02-50-50076	Kent County Courthouse
9	2011	10-02-50-50239	HRYCI Masonry Restoration
10	2007	10-02-50-50241	Stockley Medical Center
11	2011	10-02-50-50247	New Kitchen at HRYCI
12	2011	10-02-50-50249	MCI National Guard
13	2009	10-02-50-50306	MCI OMB
14	2009	10-02-50-50307	MCI DHSS
15	2009	10-02-50-50309	Starc Headquarters
16	2010/11	10-02-50-50350	MCI & Equipment
17	1999	10-03-03-10067	Dover Civic Center
18	2005	10-03-03-10068	Delaware Civic Center
19	2012	10-03-03-10077	Diamond State Port Cor
20	2012	10-03-03-50252	Diamond State Port Cor
21	2011	10-03-03-10102	Health Sciences Alliance
22	2010	10-08-01-50070	Housing Dev Fund/Prese
23	2002	12-05-03-10090	GF Cap Reprogramming
24	1994	12-05-03-50015	Agency Reversions
25	1994	12-05-03-50229	School Reversions
26	2011	15-01-01-10004	Technology
27	2010	20-08-01-50019	Bridgeville Library
28	2002	20-08-01-50065	Harrington Library
29	1996	20-08-01-50098	North Wilmington Library
30	2007	20-08-01-50100	NCC Bear
31	2007	20-08-01-50101	NCC South
32	2009	20-08-01-50230	Seaford District Library
33	2008	20-08-01-50234	South Coastal Library
34	2011	20-08-01-50266	Claymont Branch Library
35	2010	20-08-01-50352	Georgetown Library
36	2007	35-10-01-10120	DACSES IV
37	2011	35-10-01-50048	DACSES Replacement
38	2011	37-01-50-10065	Family & Children Trac
39	2011	38-01-40-10118	Maintenance & Restoration
40	2006	40-01-01-10127	Energy Efficiency
41	2005/ <u>2008</u>	40-01-06-10152	Combined Sewer Overflow
42	2006	40-03-02-50047	DE Seashore Facility
43			Enhancements
44	2006	40-03-02-50237	State Park Facilities
45	2004/05	40-03-03-10129	Dams/Water Control
46	2006	40-03-04-10140	Little Mill Creek
47	2008	40-03-04-10143	Dam Planning
48	2007	40-03-04-10147	Lewes Facil. Improveme
49	2007	40-03-04-10153	Red Clay Feasibility St
50	2003	40-03-04-50224	Resource Conserv & Dev
51	2008	40-03-04-50275	Beach Preservation
52	2010	55-05-00-95401	FHWA
53	2010	55-05-00-95402	FTA
54	2010	55-05-00-95403	Federal-Other

1	<u>2010/11</u>	55-05-00-95601	Grants & Allocations
2	<u>2010/11</u>	55-05-00-97301	Transit System
3	<u>2010/11</u>	55-05-00-97601	Support System
4	<u>2010/11</u>	55-05-00-97701	Road System
5	2010	55-05-00-97801	GARVEE Fund
6	<u>2010</u>	75-02-01-50053	Hydraulic Tools
7	<u>2011</u>	76-01-01-50268	New Dagsboro Readiness
8			<u>Center</u>
9	<u>2011</u>	90-01-01-50269	Chrysler Site
10	2009/10	90-01-01-50290	Alison Hall Ren
11	2009	90-03-01-10017	MCI
12	<u>2010/11</u>	90-03-01-50350	MCI & Equipment
13	2008/09	90-04-01-10211	Asset Preservation
14	2008	90-04-01-10212	Excellence Thru Technology
15	<u>2010/11</u>	90-04-01-50354	College Asset PresPro
16	<u>2011</u>	90-04-02-50271	Owens Campus Improvements
17	2006	90-04-04-50235	Stanton Campus Expansion
18	<u>2007/11</u>	90-04-05-50235	Stanton Campus Expansion
19	<u>2002/11</u>	95-01-01-10017	MCI
20	<u>2011</u>	95-01-01-10041	Architectural Barrier
21	2010	95-10-00-50022	MCI
22	2008/2010	95-10-00-50144	Ren Reily Brown ES
23	<u>2011</u>	95-10-00-50276	CR Renovate Alan Frear
24	<u>2009</u>	95-10-00-50326	Renovate/Add to McIlvane ES
25	2009	95-13-00-10017	MCI
26	2009	95-13-00-10873	MCI/Voc Ed
27	2008	95-13-00-50080	Land HS
28	2010	95-13-00-50281	Central MS Gym
29	<u>2011</u>	95-13-00-50285	Capital Construct New
30	<u>2011</u>	95-13-00-50294	Capital Maintenance
31	<u>2011</u>	95-13-00-50295	Capital Professional C
32	2010	95-13-00-50297	Construct 600 Ppls
33	2010	95-15-00-50022	MCI
34	2010	95-15-00-50107	MCI/VocEd
35	2010	95-15-00-50119	Ren Chipman ES
36	2008/2010	95-15-00-50135	Ren Lake Forest HS
37	<u>2008</u>	95-15-00-50146	Renovate South ES
38	<u>2009</u>	95-16-00-50324	Voc Equipment Repl
39	<u>2009</u>	95-17-00-50036	1600 Pupil HS
40	<u>2008</u>	95-17-00-50136	Ren Lewes 9 th Grade AC
41	2010	95-18-00-50107	MCI/Voc Ed
42	2008	95-18-00-50122	Morris ECC
43	2008 <u>2011</u>	95-18-00-50139	Renovate Milford HS
44	2009/10	95-18-00-50282	Construct 720 Pupil HS
45	2009	95-18-00-50287	1000 Pupil MS
46	2010	95-18-00-50296	Construct Middle Aeade
47	<u>2011</u>	95-23-00-50280	Seaford Orthopedic HC Wing
48	2009/2010	95-24-00-50113	Renovate Smyrna HS
49	2007	95-24-00-50263	600 Pupil ES
50	<u>2010/11</u>	95-24-00-50297	Construct 600 Pupil IS
51	<u>2011</u>	95-29-00-50032	Const Early Childhood Center
52	2007	95-29-00-50035	Construct 1000 Pupil M
53	2009 <u>2011</u>	95-29-00-50041	Construct 840 Pupil ES
54	2010	95-29-00-50329	Ren & Add Middletown H

1	2010/11	95-29-00-50336	Renovate Cedar Lane ES
2	2009	95-31-00-10017	MCI
3	2007	95-31-00-10187	Market Pressure Matching Fund
4			
5	2009	95-31-00-10873	MCI/Voc Ed
6	2010	95-31-00-50022	MCI
7	2008	95-31-00-50039	Construct 600 Pupil ES
8	2010	95-31-00-50053	Harlan ES
9	2006	95-31-00-50090	MP Ii 66.0 ES
10	2010	95-31-00-50107	MCI/Voc Ed
11	2008	95-31-00-50127	Renovate Hanby MS
12	2008	95-31-00-50141	Ren P.S. Dupont ES
13	2008	95-31-00-50147	Renovate Springer MS
14	2007	95-31-00-50176	Renovate District Offices
15	2005	95-31-00-50213	Renovate Talley MS
16	2011	95-31-00-50274	Brandywine Construct O
17	2009/2010	95-31-00-50284	Construct 66000 Sq F
18	2011	95-31-00-50298	Brandywine Replace Bra
19	2009	95-31-00-50327	New Transportation Fac
20	2010	95-31-00-50357	Demolish Bush School
21	2010	95-31-00-50358	Trans Fac (Local Only)
22	2010	95-32-00-50022	MCI
23	2007	95-32-00-50128	Renovate HB Dupont MS
24	2006	95-33-00-50040	800 Pupil MS
25	2006	95-33-00-50104	New MS
26	2005	95-33-00-50169	Renovate Bancroft IS
27	2006	95-33-00-50174	Renovate Christiana HS
28	2006	95-33-00-50197	Renovate Maclary ES
29	2008	95-33-00-50322	Porter Road
30	2009/10	95-33-00-50330	Restart Porter Road ES
31	2009	95-34-00-50063	Gunning Bedford
32	2010	95-34-00-50115	Ren & Rec New Castle M
33	2008	95-34-00-50124	George Reed MS
34	2009	95-34-00-50152	Ren William Penn HS
35	2008	95-34-00-50160	McCullough ES
36	2010	95-34-00-50342	Renovate Castle Hills
37	2010	95-34-00-50349	Renovate Eisenberg Ele
38	2010	95-38-00-50338	Renovate Howard HS
39	2007/08/10	95-51-00-50240	Replace Sterck
40	2009	95-51-00-50328	Sterck School
41	2009	95-53-00-10017	MCI
42	2010	95-53-00-50022	MCI
43	2010	95-53-00-50348	Renovate John G. Leach
44	2010	95-54-00-50022	MCI
45	2010	95-67-00-50022	MCI
46	2010	95-70-00-50022	MCI
47	2010	95-75-00-50022	MCI
48	2010	95-79-00-50022	MCI
49	2010	95-82-00-50022	MCI
50			

1 **Section 16. Prefatory Language.** This Act has been prepared in conformance with 78 Del. Laws,
2 c. 90. For all sections with the exception of Section 1 Addendum, all comparisons to the previous year's
3 Budget Act are shown noting insertions by underlining and deletions by strike through.

4 **Section 17. Open Space Funding.** Notwithstanding the provisions of 30 Del. C. § 5423(b)(2) and
5 § 5423(c)(1), on or before December 15, 2013, the State shall transfer \$6,000,000 of realty transfer taxes to
6 the Project Account in the Delaware Land and Water Conservation Trust Fund.

7 **Section 18. Farmland Preservation Funding.** Notwithstanding the provisions of 30 Del. C. §
8 5426 for the fiscal year ending June 30, 2014, the State shall transfer \$6,000,000 of realty transfer taxes to
9 the Farmland Preservation Fund maintained under 3 Del. C. § 905(a).

10 **Section 19. Energy Efficiency Investment Fund.** Notwithstanding the provisions of 30 Del. C. §
11 5502(f), for the fiscal year ending June 30, 2014, the State shall transfer \$3,400,000 to the Energy
12 Efficiency Investment Fund as established by 29 Del. C. § 8030.

13 **Section 20. Conservation Districts - Federal Acquisition Regulations.** Conservation Districts
14 shall not be required to follow the provisions of the Federal Acquisition Regulations unless specifically
15 required under a contract(s) with a federal agency or federal grant. If the Conservation Districts are
16 required to follow subpart 31.2 of the Federal Acquisition Regulations, then the Conservation Districts are
17 hereby authorized to charge an additional ten percent to their overhead cost rate to enable the Conservation
18 Districts to continue to fulfill their statutory duties and responsibilities.

19 **Section 21. First State Preservation Revolving Fund, Inc.** For Fiscal Year ~~2013~~ 2014, First
20 State Preservation Revolving Fund, Inc. may continue to expend for administrative expenses the interest
21 generated by the Community Redevelopment Fund appropriations of \$250,000 in each of Fiscal Years 1999
22 and 2000.

23 **Section 22. Downtown Milford Inc.** Any Community Redevelopment Fund appropriations to
24 Downtown Milford Inc.- Structural and Façade Improvements may be used for private businesses and
25 residences, as well as, institutional residences provided said properties are within the Downtown Milford
26 project area.

1 **Section 23. Laurel Redevelopment Corporation.** Any proceeds from the sale of property funded
2 in whole or in part from Community Redevelopment Fund grants to Laurel Redevelopment Corporation
3 shall be reinvested in redevelopment projects within the Town of Laurel.

4 **Section 24. Community Redevelopment Fund Match.** Notwithstanding the provisions of 29
5 Del. C. § 6102A, any unexpended Community Redevelopment Funds awarded to the Hockessin
6 Community Center in fiscal years 2004 and 2005 shall not require a local match.

7 **Section 25. Bond Bill Reporting Requirements.** All state agencies and public school districts
8 receiving funds from the Bond and Capital Improvements Act shall submit a quarterly expenditure status
9 report to the Director of the Office of Management and Budget and Controller General on all incomplete
10 projects that are wholly or partially funded with state and/or local funds, including bond funds. The format
11 and information required in these quarterly reports shall include, but not be limited to, expenditures of both
12 bond and cash funds. The report format will be developed by the Office of Management and Budget and
13 include information as needed by the Department of Finance, Treasurer’s Office and Office of Management
14 and Budget to anticipate cash and bond requirements for the upcoming fiscal year.

15 **Section 26. Notification.** The Director of the Office of Management and Budget and Controller
16 General shall notify affected state agencies and other instrumentalities of the State as to certain relevant
17 provisions of this Act. Additionally, the Director of the Office of Management and Budget and Controller
18 General shall notify the President Pro Tempore of the Senate and the Speaker of the House as to any
19 legislative appointments required by this Act.

20 **Section 27. Bear Babe Ruth.** Notwithstanding any provision or requirement of the public trust
21 doctrine or 10 Del. C. c. ~~82~~ 62, and without the necessity of compliance therewith, New Castle County is
22 hereby authorized to transfer to Bear Babe Ruth all rights, title and interest in that certain tract, piece, parcel
23 or parcels of land known as Lot 3, Wrangle Hill Elementary School, containing 68.008 acres, more or less,
24 and having Tax Parcel No. 12-013.00-081, as were conveyed to New Castle County by deed of Premcor
25 Refining Group Inc. (Premcor) dated March 12, 2007, or by any subsequent deed or consent executed by a
26 successor or assign of Premcor, subject to the condition that such property be used by Bear Babe Ruth for

1 the sole purpose of establishing, operating and maintaining thereon a public park for open space, park or
2 outdoor recreational uses.

3 **Section 28. Escheat – Special Funds.** For Fiscal Year 2014, in which General Fund deposits
4 equal \$514,000,000, the Secretary of Finance shall transfer any and all additional receipts received to a
5 holding account entitled “Escheat-Special Fund”. The Joint Legislative Committee on the Capital
6 Improvement Program shall allocate these additional receipts as part of the Fiscal Year 2015 Joint
7 Legislative Committee on the Capital Improvement Act among the following funds:

8 (a) The K-12 Construction Fund;

9 (b) The Debt Reduction Fund; and

10 (c) The Other Post-Employment Benefits Fund as established by 29 Del. C. § 5281.

11 **Section 29. Escheat.** Amend 12 Del. C. § 1131 (a) by making insertions as shown by underlining
12 and deletions as shown by strike through as follows:

13 (a) Subject to limitations contained in 29 Del. C. § 6102(s), the ~~The~~ State Escheator shall
14 deposit into the General Fund all moneys or proceeds of property received pursuant to
15 this subchapter.

16 Further amend 29 Del. C. § 6102(s) by making insertions as shown by underlining and deletions as
17 shown by strike through as follows:

18 (s) The State shall transfer each fiscal year the first \$40,000,000 in receipts received under
19 ~~subchapter H of Chapter 11 of Title 12~~ that would otherwise be deposited to the General
20 Fund to the Transportation Trust Fund maintained under Chapter 14 of Title 2. Receipts
21 received in excess of \$40,000,000 shall be deposited into the General Fund provided;
22 however, that in no fiscal year shall such General Fund deposits exceed \$514,000,000.

1 **OFFICE OF MANAGEMENT AND BUDGET**

2 **Section 30. Construction Management.** Notwithstanding any other State law, the Office of
3 Management and Budget (OMB) shall be responsible for the design and construction of all the projects
4 listed under Office of Management and Budget in the Section 1 Addendum of this Act. For those projects
5 that are solely for the purchase of equipment, including projects that are funded in any MCI and Equipment
6 line or any MCI line, OMB shall transfer the appropriate funding necessary to purchase the equipment to
7 the agency for which the equipment is being purchased. The appropriate amount of funding shall be
8 determined and agreed to by OMB and the agency for which the equipment is being purchased by
9 September 1 of each fiscal year. For those projects for which the appropriation is passed to an entity and
10 for which the State is not a party to the construction contract, OMB shall provide technical assistance.

11 (a) Notwithstanding any other State law, there is hereby created an Appeals Board, to be composed
12 of the Lieutenant Governor, the Director of the Office of Management and Budget, and the Controller
13 General. The Appeals Board shall approve the use of all unencumbered monies after that project is deemed
14 substantially complete. A project shall be deemed substantially complete when the project is occupied by
15 75 percent of the planned tenants or when deemed complete by the Appeals Board. One year after a project
16 is deemed substantially complete, any unencumbered authorization balance shall revert. In no case shall
17 this Section empower the Appeals Board to allow for the expenditure of funds for uses other than for the
18 funds authorized purpose(s). The Controller General shall notify the Co-Chairs of the Joint Legislative
19 Committee on the Capital Improvement Program of any decisions of the Appeals Board.

20 (b) The use of Minor Capital Improvement and Equipment funds in order to ensure completion of a
21 Major Capital Improvement project involving construction of a new facility is prohibited unless the use of
22 such funds are necessary due to a legal settlement or emergency or unforeseen conditions as determined by
23 the Director of the Office of Management and Budget, the Controller General and the Co-Chairs of the Joint
24 Legislative Committee on the Capital Improvement Program.

25 (c) A quarterly status report shall be submitted to the Controller General on all incomplete projects.

1 (d) No project's budget should be increased beyond what is appropriated in any Bond and Capital
2 Improvements Act, either with special funds or private funds, unless the use of those funds is approved by
3 the appropriate cabinet secretary, the Director of the Office of Management and Budget, the Controller
4 General and the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program.

5 **Section 31. Construction Manager.** It is the intent of the General Assembly that all public works
6 projects, including all public school projects, that utilize a construction manager on the project, utilize the
7 delivery methodology which requires the construction manager to secure a performance and payment bond
8 for their portion of the work. All subcontractors shall be listed at the start of the project and shall provide a
9 performance and payment bond which names the Construction Manager and the State of Delaware as
10 additional insureds. All provisions of 29 Del. C. c. 69 are in effect for projects which utilize Construction
11 Manager.

12 **Section 32. Judicial Construction Oversight.** It is the intent of the General Assembly that a
13 nine-member Executive Committee be created to oversee construction of new or major renovation of
14 judicial facilities. The Executive Committee shall include two members of the Legislature appointed by the
15 Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program; the respective Chairs
16 of the House and Senate Judiciary Committees; two members of the Judiciary as appointed by the Chief
17 Justice; and three members of the Executive Department to include the Director of Facilities Management,
18 the Director of the Office of Management and Budget and their designee. The Executive Committee shall
19 work in conformation with existing construction oversight guidelines as written in Section 21 of this Act.
20 The Executive Committee is hereby empowered to:

21 (a) Select appropriate professionals necessary to program, site, design, construct, furnish and equip
22 the facility;

23 (b) Provide such oversight to ensure that the final facility provides optimal security and
24 incorporates maximum operational efficiencies both within the Judiciary and in conjunction with other
25 criminal justice agencies;

26 (c) Ensure that new construction and/or renovations are completed on schedule; and

1 (d) Ensure that the cost of new construction and/or renovations does not exceed the authorized
2 budget.

3 This section shall apply to the following projects: Kent County Courthouse/O'Brien Building;
4 Sussex County Family Court; Kent County Family Court and any Judicial construction or renovation
5 project requested by either the Judicial Branch or recommended by the Office of Management and Budget
6 for the Judicial Branch where the total project cost estimate exceeds \$10,000,000.

7 **Section 33. Minor Capital Improvement and Equipment Supplement - Office of Management**
8 **and Budget.** Notwithstanding the provisions of any other State law to the contrary, not more than five
9 percent of the total amount allocated to the Office of Management and Budget's MCI annual budget may be
10 expended to enter into contractual agreements for project representatives and associated administrative
11 support to ensure adequate oversight of State construction projects. The Director of the Office of
12 Management and Budget is directed to provide an itemized budget for this amount to the Controller General
13 by August 1 of each fiscal year, and expenditure reports to the Controller General by December 1 and June
14 1 of each fiscal year.

15 **Section 34. New Castle County Courthouse.** Notwithstanding any law or local government
16 ordinance, resolution, or any deed restrictions to the contrary, the Director of the Office of Management and
17 Budget shall designate the name of any state-owned or state-operated courthouse or other judicial building
18 or facility in New Castle County purchased, constructed, or improved by funds appropriated pursuant to an
19 Act of the General Assembly and shall have the sole authority to approve or disapprove the placement of
20 any statues or memorials in or on the grounds of such courthouse or judicial building or facility.

21 **Section 35. Sale of Surplus Property.** Notwithstanding the provisions of any law to the contrary,
22 the Director of the Office of Management and Budget is authorized to solicit buyers, lessors or developers
23 and negotiate the sale, long or short-term lease, development or adaptation of the state-owned building and
24 parking lot, commonly known as the Bank of America Building and State Employee Workforce Education
25 and Training Center, located on the block bounded by French, 9th, 10th and Walnut Streets in Wilmington.
26 Net proceeds resulting from a sale, lease, development or reuse of the building and/or parking lot shall be

1 deposited to the General Fund. The Director of the Office of Management and Budget must receive
2 approval from the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program prior
3 to executing an agreement of sale, lease, development or use of the building or parking lot for other than
4 state agencies. The Director of the Office of Management and Budget is authorized to solicit buyers,
5 lessors, developers and others who may enable the sale, development, lease, or reuse of the property
6 directly, use public advertisement, auction, reverse auction, sealed bids, or issue requests for information
7 and requests for proposals. During Fiscal Year ~~2013~~ 2014, the Director of the Office of Management and
8 Budget may identify additional state-owned real property that, with the concurrence of the Co-Chairs of the
9 Joint Legislative Committee on the Capital Improvement Program and the Controller General, may be sold,
10 leased or developed pursuant to the provisions of this section.

11 **Section 36. Card Access Security Systems.** Notwithstanding the provisions of any law to the
12 contrary, the Office of Management and Budget, Department of Safety and Homeland Security, and the
13 Department of Technology and Information shall jointly develop and maintain specifications and standards
14 for card access security systems for all state facilities. Security system communications using state
15 infrastructure will observe enterprise standards and policies as defined by Department of Technology and
16 Information pursuant to 29 Del. C. c. 90. The specifications and standards shall enable a single-card
17 security solution for all state-owned facilities, require the ability for concurrent central and local
18 administration of card access functions, and shall include a registry of approved card readers and associated
19 hardware required to implement card access security systems. It is the intent of this section to authorize
20 Office of Management and Budget, Department of Safety and Homeland Security and Department of
21 Technology and Information to jointly select a single supplier, manufacturer or technology of access cards
22 and security management software for use by all state agencies. The Office of Management and Budget,
23 Department of Safety and Homeland Security and Department of Technology and Information shall
24 develop procedures and standards required for the evaluation and approval of agency requests for new or
25 modified security systems of any type. Before a state agency may install a new security system or modify

1 an existing system, the agency shall obtain the approval of the Office of Management and Budget,
2 Department of Safety and Homeland Security and Department of Technology and Information.

3 **Section 37. Employing Delawareans Reporting Requirement.** The Section 1 Addendum to 78
4 Del. Laws, c. 76 makes the following appropriations from “One-Time Special Funds;” \$10,000,000 to the
5 University of Delaware; \$10,000,000 to Delaware State University; \$10,000,000 to Delaware Technical and
6 Community College; \$10,000,000 to the Delaware State Housing Authority; \$55,000,000 to New Jobs
7 Infrastructure; and \$35,000,000 in Asset Preservation. Expenditure of said funds shall be subject to the
8 following provisions:

9 (a) Any public works or professional services contract (1) to which any agency, the University of
10 Delaware, Delaware State University, or Delaware Technical and Community College is a party; (2) for
11 which payment shall be funded in whole or in part by monies hereunder; and (3) for which the probable cost
12 is greater than the amount set by the Contracting and Purchasing Advisory Council pursuant to 29 Del. C.
13 § 6913.

14 (b) No bid for any contract hereunder shall be responsive unless the prospective bidder discloses its
15 reasonable, good-faith determination of (1) the number of employees reasonably anticipated to be employed
16 on the project; (2) the number and percentage of such employees who are bona fide legal residents of the
17 State; (3) the total number of employees of the bidder; and (4) the total percentage of employees of such
18 bidder who are bona fide residents of the State. To the extent subcontractors are to be employed in
19 connection herewith, the bidder shall further disclose its reasonable, good-faith determination of the number
20 and percentage of employees of such subcontractor who are bona fide legal residents of the State.

21 (c) All contractors awarded contracts hereunder shall submit a report to the Director of the Office
22 of Management and Budget setting forth the actual number and percentage of employees of such contractor
23 who are bona fide legal residents of the State. To the extent subcontractors are employed in connection
24 with any such contractor, the contractor shall further disclose the actual number and percentage of
25 employees of such subcontractor who are bona fide legal residents of the State. Such report shall be due on
26 the earlier of 30 days from the completion of the project or December 31 of each calendar year.

1 (d) For purposes of this section, “bona fide legal resident of this State” shall mean any resident
2 who has established residence of at least 90 days in the State.

3 (e) Notwithstanding anything to the contrary herein, this section shall not apply to any contract for
4 which any exception would apply pursuant to 29 Del. C. § 6904. Without limitation of the foregoing, if any
5 provision of this section conflicts or is inconsistent with any statute, rule or regulation of the federal
6 government applicable to a project or activity, the cost of which is to be paid or reimbursed in whole or in
7 part by the federal government, and due to such conflict or inconsistency the availability of federal funds
8 may be jeopardized, such provision shall not apply to such project or activity. Further, if any provisions of
9 this section conflict or are inconsistent with 31 Del. C. c. 40, the provisions of 31 Del. C. c. 40 shall prevail
10 and govern.

11 **Section 38. Building Procedures.** The Director of the Office of Management and Budget shall
12 convene a panel to work with the Office of Management and Budget to establish all necessary procedures,
13 develop all necessary provisions and promulgate all necessary rules required in Title 29 §6908 (a) (6). This
14 panel shall be comprised of two representatives from the Delaware Building and Construction Trades
15 Council and one representative from the Associated Builders and Contractors. The Director shall complete
16 and promulgate the procedures, provisions and rules required in Title 29 §6908 (a) (6) no later than
17 December 31, 2013.

18 **Section 39. Sussex County Property Acquisition.** The Office of Management and Budget is
19 hereby authorized to enter into an option to buy or a right of first refusal on two or more parcels that may
20 become available on or near the Circle in Georgetown. The Office of Management and Budget shall also
21 have an appraisal and due diligence assessment completed on each of the properties and may use prior year
22 authorization for the Kent County Courthouse (2012-10-02-50-50077) to offset expenses related to this
23 section.

1 **DELAWARE ECONOMIC DEVELOPMENT OFFICE**

2 **Section 40. Composites Research.** The Delaware Economic Development Office (DEDO) is
3 authorized to provide a match of up to \$100,000 to the University of Delaware Center for Composite
4 Materials for federal research grants received that support the development and application of composite
5 manufacturing technology for the benefit of Delaware companies. Such match shall be disbursed from the
6 Strategic Fund upon documentation of the receipt of federal funds allocated to the Center during the fiscal
7 year for these purposes and upon documentation of the relevance of these research projects to Delaware
8 industries' needs and their participation within said projects.

9 **Section 41. Kalmar Nyckel.** The scheduling of the Kalmar Nyckel by non-state entities shall
10 require the approval of the Riverfront Development Corporation. Further, the Riverfront Development
11 Corporation is encouraged to enter into negotiations with interested parties to review the disposition of
12 loans to the Kalmar Nyckel.

13 **Section 42. Transportation Property Disposition.** The proceeds from the future sale of parcels
14 of land the Department of Transportation acquired on Beech Street in the City of Wilmington and Delmarva
15 Properties located in the Wilmington Riverfront area shall be deposited to the Transportation Trust Fund.

16 **Section 43. Council on Development Finance.** If DEDO makes an award not in agreement with
17 the recommendations of the Council on Development Finance, the Director of DEDO shall notify the Co-
18 Chairs of the Joint Legislative Committee on Capital Improvements within 10 business days. The
19 notification shall include details of the actual award, the Council recommendations on the proposal, and a
20 justification for why DEDO did not follow the recommendations of the Council.

21 **Section 44. New Markets Tax Credit Program.** In the event that the Director of DEDO and the
22 Secretary of Finance determine that it is advisable to apply for participation in the New Markets Tax Credit
23 Program under the U.S. Treasury Department, the Director is authorized to form a business entity or
24 organization to apply for and manage this program on behalf of the State, as required by applicable federal
25 legislation and regulations. Any such application for said program shall be subject to the approval of the
26 Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program and the Delaware State

1 Clearinghouse Committee. Should such application receive final approval by the U.S. Treasury Department
2 or other federal governmental entity charged with such authority, at least one public hearing shall be held
3 for the purpose of presenting the program, the availability of financial assistance and the selection process.

4 **Section 45. ~~Fraunhofer Vaccine Development~~ Delaware Strategic Fund.** The Section 1
5 Addendum to this Act appropriates funds for the Delaware Strategic Fund, included is \$1,000,000 for
6 Fraunhofer Vaccine Development. It is the intent of the General Assembly and the Administration that
7 said funds represent the ~~second~~ third year of a six-year commitment by the State of Delaware to leverage a
8 2:1 matching grant of \$12,000,000 from Fraunhofer USA.

9 In addition, the Section 1 Addendum to this Act appropriates funds for the Delaware Strategic
10 Fund, included is \$1,000,000 for the fifth year of a five-year commitment to support IDeA Network of
11 Biomedical Research Excellence (INBRE)/University of Delaware and \$800,000 for the first year of a
12 five-year commitment to support Experimental Program to Stimulate Competitive Research
13 (EPSCOR)/University of Delaware.

14 **Section 46. Emerging Technology Center.** Notwithstanding any other law to the contrary,
15 funds appropriated to DEDO for the Emerging Technology Center, pursuant to 74 Del. Laws, c. 308 §
16 36(c), shall be expended by DEDO for the purpose of operating the Delaware Emerging Technology
17 Center (ETC). Operating expenses may include, but are not limited to ETC software licensing
18 agreements; Delaware sponsored ETC investor forums, businesses plan competitions and conferences,
19 marketing campaigns; and Intellectual Property Business Creation program implementation initiatives.

20 **Section 47. Riverfront Development Corporation.** (a) Funds appropriated for the Riverfront
21 Development Corporation of Delaware (RDC) shall be disbursed to a special fund to be known as the
22 Riverfront Development Corporation Fund hereinafter referred to as the Fund.

23 (b) The Fund shall be invested by the State Treasurer in securities consistent with the policies
24 established by the Cash Management Policy Board. All monies generated by the Fund shall be deposited
25 in the Fund.

1 (c) Funds appropriated to DEDO for RDC shall be expended only with the approval of the board
2 of directors of the RDC. Funds may only be expended for activities related to the redevelopment of the
3 Brandywine and Christina riverfront areas, including: planning and design studies; the acquisition,
4 construction and improvement of real property; environmental remediation; costs of operations and
5 administration; conversion of the Chase Center on the Riverfront to a conference center; debt service; and
6 other expenses in furtherance of the mission of the RDC.

7 **Section 48. Limited Investment for Financial Traction (LIFT) and Delaware Rural Irrigation**
8 **Program (DRIP) Initiatives.** Notwithstanding any other law to the contrary, DEDO is hereby authorized
9 to pay administrative fees associated with the LIFT and DRIP Initiatives from the Strategic Fund not to
10 exceed two percent of the program total.

11 **Section 49. Diamond State Port Corporation.** ~~The Section 1 Addendum to 78 Del. Laws, c. 76~~
12 ~~appropriates \$10,000,000 to the Diamond State Port Corporation (DSPC). No funds may be expended from~~
13 ~~this appropriation without the approval of the Board of Directors of the Port Corporation. Any funds~~
14 ~~remaining unspent or unencumbered as of June 30, 2012 shall not be subject to reversion or reauthorization~~
15 ~~until June 30, 2013. In addition, DSPC may borrow, on an interest free basis, \$2,000,000 of this~~
16 ~~authorization to meet its short term operating expenses during Fiscal Year 2013.~~ The Section 1 Addendum
17 to this Act appropriates \$8,000,000 to the Diamond State Port Corporation (DSPC). It is the intent of the
18 General Assembly and the Administration that said funds represent funding for the following projects:

	<u>Amount</u>
19 (a) <u>Container Crane</u>	<u>\$3,600,000</u>
20 (b) <u>Infrastructure Improvements</u>	<u>\$4,400,000</u>

21 No funds may be expended from this appropriation without the approval of the Board of Directors of the
22 Port Corporation.

23 **Section 50. Strategic Fund.** The Section 1 Addendum to this Act appropriates \$32,000,000 to the
24 Delaware Economic Development Office for the Strategic Fund. Of this amount, \$500,000 shall be
25

- 1 allocated to Wesley College for renovation/rehabilitation of the Frear Building for the College's Nursing
- 2 Program.

1 **DELAWARE STATE HOUSING AUTHORITY**

2 **Section 51. Housing Development Fund - Affordable Rental Housing Program.** The Section 1

3 Addendum to this Act appropriates ~~\$4,000,000~~ \$6,000,000 for Housing Development Fund - Affordable

4 Rental Housing Program (10-08-01). It is the intent of the General Assembly and the Administration that

5 said funds are to be used to leverage other funding sources, such as Low Income Housing Tax Credits and

6 tax-exempt bonds to help create and/or improve affordable rental housing stocks in Delaware. This

7 investment in affordable rental housing will increase economic activity in the State of Delaware. The

8 Director of the Delaware State Housing Authority shall report to the Controller General and the Director of

9 the Office of Management and Budget no later than April 30, ~~2013~~ 2014 on the expenditure of the Housing

10 Development Fund appropriated in Section 1 Addendum to this Act. Said report shall also include the

11 amount and expenditure of any non-state funds received by the State for said affordable rental housing

12 projects.

1 **DEPARTMENT OF TECHNOLOGY AND INFORMATION**

2 **Section 52. Data Center Projects.** In no instance shall any information technology data center
3 project be initiated by a department/agency during this fiscal year until a formalized plan has been approved
4 by the department/agency head, Director of the Office of Management and Budget and the State Chief
5 Information Officer. This includes, but is not limited to, relocating, renovating and/or constructing new
6 information technology data centers.

7 **Section 53. IT Project Funding.** (a) Section 1 Addendum of this Act appropriates \$12,084,000
8 \$17,251,100 to the Office of Management and Budget (10-02-05) for technology projects. For Fiscal Year
9 ~~2013~~ 2014, the following projects may receive an allocation for planning, development, procuring services,
10 conducting a feasibility/investment analysis or project implementation provided they meet all of the
11 requirements contained within this Section:

12 DEPARTMENT/AGENCY SERVICE NEED

13 Department of Health and Social Services

14 DACSES Replacement and Equipment

15 Medicaid Management Information System

16 Delaware Client Information System (Eligibility)

17 Department of Services for Children, Youth and Their Families

18 Family and Children Tracking System (FACTS II)

19 Allocation of the funds appropriated for this purpose shall be made by the Director of the Office of
20 Management and Budget in consultation with the affected department/agency head. Project allocations shall
21 not be transferred to another department/agency unless approved by the Director of the Office of
22 Management and Budget. In the event federal funds are available for match in support of a project or
23 projects, the Director of the Office of Management and Budget and the Controller General may transfer
24 such funds as are necessary to meet the match requirements to the department/agency involved.

25 (b) In no instance shall any information technology (IT) project identified in Subsection (a) of this
26 Section be initiated by the department/agency during this fiscal year until its formalized plan has been

1 approved by the department/agency head, Director of the Office of Management and Budget and state Chief
2 Information Officer. The project plan and the request for funding to be transferred shall consist of a
3 business case for the project, which includes:

- 4 (i) needs analysis;
- 5 (ii) business process to be impacted/reengineered;
- 6 (iii) risk assessment;
- 7 (iv) stakeholder impact assessment;
- 8 (v) cost-benefit analysis; and,
- 9 (vi) an analysis of the total cost of ownership, which includes costs incurred during all phases
10 of the development and operational life cycles.

11 In no instance shall any project be approved by the Director of the Office of Management and
12 Budget if any portion of the above project plan requirements are absent from the department's/agency's
13 request for a transfer of funds.

14 (c) No IT project that receives funds through Subsection (a) that has a scope beyond the scope of
15 work approved by the department/agency head and the Director of the Office of Management and Budget,
16 and the state's Chief Information Officer is to be undertaken. Changes in scope or cost that fundamentally
17 alter the original intent of an approved project shall be communicated to the Director of the Office of
18 Management and Budget, Controller General and the state Chief Information Officer. Departments/agencies
19 failing to communicate this information in a prompt manner may cause the project to be postponed or
20 terminated. This requirement applies to all IT or technology-related systems development performed by the
21 Department of Technology and Information, the department/agency itself, or an outside consultant or
22 contractor. Further, this requirement applies to IT applications or systems purchased, subscribe to, or
23 otherwise acquired and placed in use.

24 (d) Funding shall be transferred on a phase-by-phase basis. Except for the initial transfer where the
25 project plan needs to be approved, subsequent funding transfer requests shall be contingent upon the receipt
26 and review of quarterly project status reports by the Director of the Office of Management and Budget,

1 Controller General and Chief Information Officer. In instances where the project requires a transfer prior to
2 the deadline for the quarterly report, a report of the project's status at the time of the request will be
3 necessary.

4 (e) In all projects executed between the Department of Technology and Information, the Controller
5 General's Office, the Office of Management and Budget, and the concerned department/agency, the
6 Department of Technology and Information shall maintain staff support to the benefit of the
7 department/agency at the agreed upon level of effort (subject to recruitment delays) until the project work
8 has been accomplished.

9 (f) In no case shall funds appropriated in Section 1 Addendum of this Act be used to employ data or
10 word processing professionals in support of current or proposed IT projects without the express written
11 approval of the Director of the Office of Management and Budget.

1 **DEPARTMENT OF STATE**

2 **Section 54. North Wilmington Library.** Funds authorized in the Section 1 Addendum of 70
3 Del. Laws, c. 210 shall be used to plan and construct a library within the First Senate District.

4 **Section 55. Museum Maintenance.** The Section 1 Addendum to this Act appropriates ~~\$350,000~~
5 550,000 to the Department of State for museum maintenance. It is the intent of the General Assembly that
6 these funds be retained by the Department of State, Division of Historical and Cultural Affairs for use with
7 the operations of State museums or for repairs to those facilities under the control of the Division of
8 Historical and Cultural Affairs.

9 **Section 56. Library Construction.** Proposals submitted by the Department of State to the Office
10 of Management and Budget under 29 Del. C. § 6604A shall include a statement as to whether or not each of
11 the libraries have the required 50 percent non-state share match as defined in 29 Del. C. § 6602A(2).

12 **Section 57. Stabilization Endowment for the Arts.** It is the intent of the General Assembly that
13 previously appropriated funds from the Department of State to the Stabilization Endowment for the Arts
14 may be used to fund operating expenses pursuant to appropriate controls and procedures adopted by the
15 Board of the Arts Consortium of Delaware and upon concurrence of the Division of Arts.

1 **DEPARTMENT OF FINANCE**

2 **Section 58. Bond Proceeds Reimbursement.** Unless not permitted by the Internal Revenue Code
3 of 1986, as amended (the Code), whenever the General Assembly authorizes the issuance of the State’s
4 General Obligation bonds or the Delaware Transportation Authority’s (the Authority) revenue bonds to
5 finance the costs of specific capital projects, it is the intent of the General Assembly that the interest on
6 such bonds shall not be included in gross income for federal income tax purposes under Section 103 of the
7 Code, and the United States Treasury Regulations (the Regulations) thereunder as they may be promulgated
8 from time to time, or shall be qualified as Build America Bonds pursuant to the Code and the Regulations.
9 Pursuant to the State's budget and financial policies, other than unexpected situations where surplus
10 revenues render bond financing unnecessary or undesirable, no funds other than the proceeds of such bonds,
11 are or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the
12 State to pay the costs of such specific capital projects. Pursuant to the Authority’s budget and financial
13 policies, it is expected that approximately 50 percent of the costs of its capital projects shall be funded on a
14 long-term basis from the proceeds of such bonds. However, after the authorization of such bonds but prior
15 to their issuance, non-bond funds from the State’s General Fund or the Authority’s Transportation Trust
16 fund or other funds may be advanced on a temporary basis to pay a portion of the costs of such specific
17 capital projects. In that event, it is expected that these non-bond funds will be reimbursed from the
18 proceeds of such bonds when they are issued. This reimbursement may cause a portion of such bonds to
19 become reimbursement bonds within the meaning of Section 1.150-2 of the Regulations. Under those
20 Regulations, to preserve the exclusion of the interest on such bonds from gross income for federal income
21 tax purposes, it may be necessary to make a declaration of official intent. The Secretary of Finance is
22 hereby designated as the appropriate representative of the State and the Secretary of Transportation is
23 hereby designated as the appropriate representative of the Authority, and each is authorized to declare
24 official intent on behalf of the State or the Authority, as the case may be, within the meaning of Section
25 1.150-2 of the Regulations, whenever and to the extent that such declaration is required to preserve such tax
26 treatment.

1 **Section 59. Qualified Zone Academy Bonds.** A portion of the General Obligation bonds
2 authorized under this Act for a school construction project may be issued in the form of Qualified Zone
3 Academy Bonds (QZABs) within the meaning of the Code and the Regulations. Such portion shall be
4 equal to the maximum amount of QZABs which may be issued under the Code and the Regulations. The
5 Secretary of Finance is hereby authorized to determine the terms and conditions of the QZABs and the
6 eligible public school project financed by the QZABs, and the manner by which QZABs shall be awarded
7 to the purchasers thereof, including private negotiated sale, notwithstanding anything to the contrary
8 contained in 29 Del. C. c. 74; provided that the requirements of 29 Del. C. § 7422 must be observed.

9 **Section 60. Amortization Requirements.** Issuance of Any any bonds authorized in this Act or
10 any previous authorization act may be ~~issued during Fiscal Year 2013 or Fiscal Year 2014, and may be~~
11 subject to any amortization requirements as shall be determined by the bond issuing officers
12 notwithstanding anything to the contrary contained in 29 Del. C. § 7406(b).

13 **Section 61. Research and Development Tax Credit.** Amend § 2073(a), Title 30 of the Delaware
14 Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

15 (a) The Director shall not approve a research and development tax credit under this chapter for
16 taxable years ending after December 31, ~~2013~~ 2014.

17 **Section 62. Video Lottery.** The Section 1 Addendum of this Act appropriates \$8,000,000 to the
18 Department of Finance, State Lottery Office. Said funds are to be used to offset increases in vendor costs
19 for the video lottery that, pursuant to Chapter 48 of Title 29, are payable by video lottery agents for Fiscal
20 Year 2014.

21 **Section 63. A Lottery & Gaming Study Commission.** A Lottery & Gaming Study Commission
22 (the “Commission”) shall be convened by July 20, 2013. The Commission shall consist of nine persons.
23 The President Pro Tempore of the Senate shall appoint two members of the Senate and the Minority Leader
24 of the Senate shall appoint one member of the Senate to serve on the Commission. The Speaker of the
25 House of Representatives shall appoint two members of the House of Representatives and the Minority
26 Leader of the House of Representatives shall appoint one member of the House of Representatives to serve

1 on the Commission. The President of the State Chamber of Commerce shall appoint one member. The
2 Secretary of Finance and Director of the Delaware Economic Development Office shall serve as members
3 of the Commission. The Chairperson of the Commission shall be appointed by the Governor from among
4 its members. The Commission shall be responsible for examining the competitive marketplace confronting
5 Delaware gaming, including the business performance and business plans of existing lottery agents, the
6 marketing efforts and investments made by Delaware video lottery agents, and the division of revenue from
7 the video lottery, sports lottery, table games and internet gaming among all affected parties. The
8 Commission shall make findings and recommendations to the Governor, Speaker of the House, and
9 President Pro Tempore of the Senate by January 31, 2014. Staffing for the Commission shall be provided
10 by the Department of Finance. Any licensed video lottery agent or any organization that represents the
11 majority of owners or trainers racing at the racetrack of any licensed video lottery agent is hereby required
12 to provide promptly any information requested by the Commission through the Commission's chairperson.

1 **DEPARTMENT OF CORRECTION**

2 **Section 64. Prison Construction.** (a) The Director of the Office of Management and Budget, as
3 provided through construction management services, shall consult with the Commissioner of Correction to
4 ensure expedient programming, planning and construction of authorized correctional facilities. None of
5 the funds authorized herein or in prior fiscal years are intended to supplant federal funds.

6 (b) Use of any federal grant funds awarded and approved by the Delaware State Clearinghouse
7 Committee for the purpose of constructing correctional facilities shall have the technical oversight of the
8 Director of the Office of Management and Budget as defined in the appropriate Section of this Act
9 pertaining to management of the construction to ensure proper use and timely completion of all such
10 construction projects authorized herein.

11 **Section 65. Community Restoration.** The Department of Correction may, to the extent resources
12 and appropriately classified offenders are available, direct these offenders to assist with community
13 restoration projects. These projects may include beautification, clean up and restoration efforts requested
14 by civic, governmental and fraternal organizations approved by the Commissioner.

15 **Section 66. Maintenance and Restoration.** The Section 1 Addendum to this Act appropriates
16 \$3,135,400 to the Department of Correction for Maintenance and Restoration projects. The Department
17 must submit a bi-annual report to the Director of the Office of Management and Budget and the Controller
18 General, detailing the expenditure of such funds and the respective projects. The Department shall submit a
19 preliminary plan to the Director of the Office of Management and Budget and Controller General for
20 maintenance projects for the following fiscal year by October 31.

21 **Section 67. Department of Correction Prison Industry Program.** The Department of
22 Correction's Prison Industry Program shall be prohibited from selling on the open market precast concrete
23 products work including but not limited to catch basins and square boxes, unless such work meets National
24 Precast Concrete Association Standards. The Department of Correction Prison Industry Program can
25 continue to build, pour and construct precast concrete products that are exempt from this standard for use on
26 State of Delaware prison projects.

1 **DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

2 **Section 68. Conservation Cost-Sharing Program.** The Section 1 Addendum to this Act
3 appropriates \$1,500,000 to the Department of Natural Resources and Environmental Control (DNREC) for
4 the Conservation Cost-Sharing Program. Of this amount, 70 percent will be divided equally among the
5 three conservation districts to expand their water quality and water management programs. Preference
6 should be given to projects or conservation practices that improve water quality on lands covered by
7 nutrient management plans, as practicable and in consultation with the Secretary. The remaining balance
8 will be directed towards nutrient management and water quality efforts statewide as determined by the
9 Secretary, in consultation with the three conservation districts.

10 **Section 69. DNREC Land Acquisition.** Except for land acquired by approval of the Open Space
11 Council or approved through a Bond and Capital Improvements Act, land shall not be purchased by the
12 Department of Natural Resources and Environmental Control without prior approval of the Co-Chairs of
13 the Joint Legislative Committee on the Capital Improvement Program provided, however, that the
14 Department is not prohibited from conducting studies, surveys or other contractual arrangements that
15 would normally precede land acquisition procedures.

16 **Section 70. Open Space Match Requirements.** Notwithstanding the provisions of 29 Del. C.
17 § 6102A(c)(2), upon written request by the Open Space Council and notification of the Secretary of
18 Finance, the Co-Chairs of the Joint Legislative Committee on Capital Improvements are hereby
19 empowered to waive on a case-by-case basis the match requirements for a specific Open Space land
20 purchase if it can be demonstrated that meeting said match requirements would prevent the timely
21 purchase of said parcel.

22 **Section 71. Army Corps of Engineers Project Cooperation Agreements.** By using funds
23 approved by Bond and Capital Improvements Acts, the Secretary of DNREC is authorized to sign Project
24 Cooperation Agreements with the Department of the Army and other appropriate sponsors for planning,
25 construction, operation and maintenance for projects entered into by said Agreements.

1 **Section 72. Indian River Marina.** In accordance with the provisions of 73 Del. Laws, c. 350, §
2 70, DNREC under the direction of the Director of the Office of Management and Budget may utilize up to
3 \$9,900,000 in funds from the Twenty-First Century Fund for the Parks Endowment Account as established
4 in 29 Del. C. § 6102A(e), for the purpose of revitalizing and enhancing public amenities within the
5 Delaware Seashore State Park in and around the Indian River Marina Complex and related support facilities
6 as presented to the Joint Legislative Committee on Capital Improvements on May 15, 2002. DNREC will
7 repay both the principal borrowed and interest on the principal borrowed equal to that interest lost as a
8 result of borrowing from the Account. Repayment shall not exceed twenty years.

9 **Section 73. Newark Reservoir.** Of the funds allocated from the Twenty-First Century
10 Water/Wastewater Management Account in 72 Del. Laws, c. 258 and c. 489, \$3,400,000 has been set aside
11 for the Newark Reservoir Project. If the City of Newark annexes the property referred to as New Castle
12 County Tax Parcel #08-059.20-002 and Tax Parcel #08-059.20-001, the City must repay to the State those
13 monies appropriated in the Fiscal Year 2000 and 2001 Bond and Capital Improvements Acts for said
14 project.

15 **Section 74. Seventh Street Marina.** It is the intent of the General Assembly to classify the
16 Seventh Street Marina, located on East Seventh Street, being Tax Parcel # 26.044.00.0013 containing 7.86
17 acres of land (of which 5.27 acres, more or less, is above the high water line) as existing marina for
18 purposes of the State of Delaware Marina Regulations, adopted on March 29, 1990 and amended on
19 February 22, 1993. Such classification does not exempt any person seeking to make physical
20 improvements to the marina from permit application fees pursuant to 7 Del. C. c. 66 and c. 72.

21 **Section 75. Waterway Management.** DNREC is directed to provide dedicated, comprehensive
22 waterway management for state waters. DNREC will: maintain design depths and mark navigational
23 channels of the State that are not maintained and marked by any entity of the federal government; remove
24 nuisance macroalgae; remove abandoned vessels; remove derelict structures, trees and other debris that
25 threatens safe navigation; and perform any other waterway management services that may be identified to
26 preserve, maintain and enhance recreational use of the State's tidal waters, as well as improve

1 environmental conditions as warranted or directed by the Governor or Secretary of DNREC. DNREC is
2 further directed to undertake a study of the sediment sources and patterns of sediment movement that results
3 in deposition within State waterways to determine if there are methods to reduce the dependency on
4 dredging to remove deposited sediments.

5 **Section 76. Clean Water Funding Leverage.** The Department of Natural Resources and
6 Environmental Control, under advisement from the Clean Water Advisory Council, is encouraged to
7 evaluate the potential leveraging of the Water Pollution Control Revolving Fund and/or the Twenty-First
8 Century Fund Water/Wastewater Management Account based on the recommendation of the Dialogue on
9 Financing Wastewater and Stormwater Infrastructure report sponsored by the Delaware Public Policy
10 Institute, Office of the Governor, Office of the Lieutenant Governor, DNREC and the Clean Water
11 Advisory Council. The Department is further encouraged to include in its evaluation the use of any other
12 resources or assets within the Department that can be used to create an environmental infrastructure trust to
13 further the environmental goals of the State.

14 **Section 77. Yard Waste Drop Sites.** ~~It is the intent of the General Assembly that all yard waste~~
15 ~~drop sites in New Castle County remain operational unless otherwise directed by the General Assembly.~~
16 The Department shall work with private sector providers and members of the General Assembly to ensure
17 New Castle County residents have safe and accessible yard waste drop sites, including in the immediate
18 vicinity of the current Polly Drummond site.

19 **Section 78. Auburn Valley Project.** The implementation of the transportation, stormwater
20 management, demolition, remediation, redevelopment, and parks and recreation element of the Auburn
21 Valley Master Plan shall not be subject to the zoning, subdivision, land use, or building code ordinances or
22 regulations of New Castle County.

23 **Section 79. Conservation District Contracting.** Notwithstanding any statutory provision or
24 regulation to the contrary, it is the intent of the General Assembly that the Department of Natural Resources
25 and Environmental Control may enlist Delaware's conservation districts as provided in 7 Del. C. c. 39 to
26 advance the purposes of this chapter. All contracts shall be subject to the provisions of 29 Del. C. § 6960.

1 **Section 80. Recycling Cash Flow.** The Department is hereby authorized, consistent with 7 Del.
2 C. c. 60 and 30 Del. C. c. 29, to issue grants and loans to assist persons engaged in the business of
3 collecting, transporting, processing, or marketing recyclable materials, including yard waste. To that end,
4 the Secretary shall be authorized to borrow up to \$6,000,000 in combination from the Delaware Land and
5 Water Conservation Trust Fund Endowment Account, the Parks Endowment Account, the Beach
6 Preservation Appropriation Account and the Resource, Conservation and Development Appropriation in
7 order to fund activities pursuant to 7 Del. C. § 6054 and § 6055. Any funds borrowed from such accounts
8 shall be paid back in full by no later than June 30, 2015, from fees generated pursuant to 30 Del. C. c. 29.
9 To the extent that borrowing results in reduced revenues to the Department for programs that rely on
10 interest from these accounts, principal from the account may be used to offset up to the amount of lost
11 interest revenue and shall be repaid by fees generated pursuant to 30 Del. C. c. 29. A report must be
12 submitted regarding funds borrowed and update on the recycling program to the Director of Office and
13 Management and Budget and the Controller General's Office by October 15, ~~2012~~ 2013 and April 15,
14 ~~2013~~ 2014.

15 **Section 81. Bay View.** ~~In accordance with the provisions of 77 Del. Laws, c. 329 § 90, the~~
16 ~~Department is hereby authorized to spend up to \$200,000 in prior year funds from the Beach Management~~
17 ~~Account for the purpose of stabilization and/or restoration of the beach at the community of Bay View. No~~
18 ~~new appropriations shall be made for this purpose. These funds shall be used for the acquisition of~~
19 ~~additional scientific data, and/or preparation of local, state, and federal permit applications for this project~~
20 ~~and may be added to subsequent year appropriations for construction of this protective beach and terminal~~
21 ~~structure to assist in stabilizing the beach. Project oversight and implementation will be provided through~~
22 ~~the New Castle Conservation District. Prior to any construction, all applicable local, state and federal~~
23 ~~permitting requirements shall be met. The Department's interim policy for Coastal Lands Restoration~~
24 ~~Projects shall apply and prior to commencement of any construction, a written agreement between the~~
25 ~~Department and the community shall be signed by appropriate parties and will address applicable policy~~
26 ~~considerations. Any funds borrowed from the Beach Management Account shall be restored through Bond~~

1 ~~Bill appropriations no later than August 1, 2015.~~The New Castle County Conservation District shall
2 continue to work with the Bay View community as a 21st Century Fund Drainage Project and may use up to
3 \$200,000 from existing 21st Century Project Funds should the opportunity arise to fund an appropriate
4 solution. For the purposes of Bay View, appropriate solutions may include, but are not limited to, matching
5 the \$200,000 in 21st Century Project Funds with FEMA funding as a Hazard Mitigation Project.

6 **Section 82. Redevelopment of Strategic Sites.** The Section 1 Addendum to this Act appropriates
7 ~~\$2,175,000~~ \$700,000 to the Department of Natural Resources and Environmental Control for the
8 redevelopment of strategic sites. (a) ~~\$2,000,000~~ 500,000 shall be used for the remediation and
9 redevelopment of the former NVF Facility in Yorklyn, along the Red Clay Creek.

10 (b) ~~\$50,000~~ 200,000 shall be used to develop demolition plans, specifications, and related
11 permitting for those portions of the Fort DuPont site that are not historic and are slated to be demolished
12 under the development plan for the site.

13 **Section 83. Resource, Conservation and Development Projects.** It is the intent of the General
14 Assembly that the Office of Natural Resources, Division of Watershed Stewardship and the Conservation
15 District(s) as established by 7 Del. C. c. 39 shall have the following authorities:

16 (a) Within the same county, funds appropriated in any Fiscal Year shall be used for the completion
17 of any Twenty-First Century Fund Project approved by the Joint Committee for Capital
18 Improvement. Funds remaining from completed projects may be utilized for any project
19 approved as part of any Fiscal Year Capital Improvements Act. The funds appropriated are to
20 be utilized for planning, surveying, engineering and construction of approved projects.

21 (b) For water management and drainage projects undertaken by the Department of Natural
22 Resources and Environmental Control's, Office of Natural Resources, Division of Watershed
23 Stewardship and the Conservation Districts using Twenty-First Century Fund Resource,
24 Conservation and Development funds, the required non-Twenty-First Century Fund match shall
25 be a minimum of 10 percent of the total project cost for any project.

- 1 (c) Approved projects remain on the approved project list until completed or discontinued by the
2 Division of Watershed Stewardship or Conservation District(s) because of engineering,
3 landowner consent or other issues that render a cost effective solution to drainage or flooding
4 problem unlikely. The projects recommended to be discontinued will be identified on the
5 annual report submitted to the Joint Committee for Capital Improvement.
- 6 (d) In December and May of each year the Division of Watershed Stewardship shall submit a
7 financial report of fund activity including expenditures by fiscal year appropriated for each
8 county to the Office of Management and Budget and the Office of the Controller General.
9 Accounting and financial management for the 21st Century Fund will be based on the current
10 pro-rated allocation of funds for each county and not based on specific project allocations.
- 11 (e) The Division of Watershed Stewardship will submit an annual report to the Joint Committee for
12 Capital Improvement at the Resource, Conservation and Development hearing detailing project
13 status including those projects recommended for discontinuation. The annual report will also
14 include a request for funding that will identify the total unexpended balance of the fund and the
15 total projected needs of the project estimates to date. A list of new projects will also be
16 identified and submitted for approval by the Joint Committee for Capital Improvement.
- 17 (f) When a proposed tax ditch project or other water management project traverses county lines, if
18 approved by the Joint Committee for Capital Improvement the project shall be added to the
19 project list in both counties.
- 20 (g) Subject to the approval of the Co-Chairs of the Joint Legislative Committee on the Capital
21 Improvement Program, a project funded entirely from Community Transportation Funds (CTF)
22 may be added to the Twenty-First Century Fund project list during the course of a fiscal year
23 when said project is deemed to be an emergency project affecting the health and safety of
24 residents.

25 **Section 84. Delaware City – Branch Canal Trail.** The Section 1 Addendum to this Act
26 appropriates \$3,000,000 the Department of Natural Resources and Environmental Control for Statewide

1 Trails and Pathways. Of this amount, \$50,000 shall be allocated to the New Castle County Conservation
2 District for enhancements to the Delaware City Branch Canal Trail and \$25,000 shall be allocated to Sussex
3 Outdoors.

4 **Section 85. Buried Debris Pit Remediation Program.** The Section 1 Addendum to this Act
5 provides \$750,000 to the Department of Natural Resources and Environmental Control for Buried Debris
6 Pit Remediation. Remediation will be provided to the New Castle Conservation District for cost-share
7 assistance to landowners with buried debris on their properties. New Castle County is encouraged to match
8 the State appropriation. It is the intent of the General Assembly that any future appropriations for Buried
9 Debris Pit Remediation shall require a 1:1 match by New Castle County.

10 **Section 86. High Hazard Dikes.** Notwithstanding any other provision of the Delaware Code or
11 this Act to the contrary, the Department of Natural Resources and Environmental Control is authorized to
12 repair and rehabilitate the New Castle County flood control dike at Red Lion, Buttonwood, Army Creek,
13 Board and Gambacorta to federal standards necessary for acceptance into the U.S. Army Corps of
14 Engineers Rehabilitation and Inspection Program, as funding for construction permits. Capital project
15 funding has been made available by the State or federal government since June 30, 2011, and with the intent
16 that property owner(s) of record name resume control and responsibility for operating and maintaining the
17 structures upon completion of improvements.

1 **DEPARTMENT OF TRANSPORTATION**

2 **Section 88. General Provisions.** The Department of Transportation (Department) is hereby
3 authorized and directed to use all its designated powers and resources to carry out the following legislative
4 mandates:

5 (a) Transportation Trust Fund Authorizations. Sums not to exceed ~~\$852,684,310~~ \$401,865,051
6 (State: ~~\$173,496,556~~ \$196,769,030; Federal: ~~\$205,383,602~~ \$202,036,618; Other: ~~\$473,804,152~~
7 \$3,059,403) are authorized to be withdrawn from the Transportation Trust Fund to carry out
8 the projects and programs as set forth in the Section 1 Addendum of this Act.

9 (b) Reauthorization of Previous Fund Balances. Of the \$401,865,051 authorized in subsection (a)
10 above, the sum of \$35,848,110.97 (state) for newly authorized projects within the Road
11 System, Support System and Transit System classifications shall be funded from previously
12 authorized, but unexpended balances in the following appropriations:

13 **Deauthorize** **Amount**

14 <u>Road System (97701)</u>	<u>\$34,013,848.65</u>
15 <u>Support System (97601)</u>	<u>1,301,982.42</u>
16 <u>Transit System (97301)</u>	<u>532,279.90</u>
17 <u>Total</u>	<u>\$35,848,110.97</u>

18 **Reauthorize** **Amount**

19 <u>Road System (97701)</u>	<u>\$34,013,848.65</u>
20 <u>Support System (97601)</u>	<u>1,301,982.42</u>
21 <u>Transit System (97301)</u>	<u>532,279.90</u>
22 <u>Total</u>	<u>\$35,848,110.97</u>

23 **Section 89. US 301 Revenue Bonds.** The Delaware Transportation Authority is hereby authorized
24 to issue revenue bonds in a principal amount sufficient to finance the construction of the US 301 mainline,
25 including capitalized interest, cost of issuance and reserve requirements. The Secretary of the Department
26 of Transportation in concurrence with the Director of the Office of Management of Budget, the Secretary of

1 Finance, and the Controller General, shall determine the time and the exact amount of the sale. Such
2 revenue bonds may be secured by a pledge of the toll revenue generated by US 301 and the Transportation
3 Trust Fund revenue.

4 **Section 90. Maintenance and Operations Facilities.** Building structures and facilities
5 constructed, or to be constructed, within the Department of Transportation's operating right of way that
6 facilitate maintaining the highway system and are used to assist in the operational and maintenance
7 activities for all roads, shall not be subject to zoning, subdivision or building code ordinances or regulations
8 by any political subdivision of the State. Types of structures may include equipment sheds, crew quarters,
9 equipment maintenance , equipment washing , material storage sheds (i.e. salt, sand and other bulk
10 materials), fuel centers and other maintenance structures required to maintain the highway system such as
11 security (cameras and fences) including necessary maintenance and replacement items such as upgrades to
12 existing facilities. The Department shall not construct any such facility without first conducting a public
13 workshop to describe such plans and gather public input into the effect of such plans.

14 **Section 91. Transportation Enhancements.** (a) It is the intent of the General Assembly that the
15 ~~Department~~ department provide notice to all State agencies, political sub-divisions within the State and
16 other parties of the availability of, and rules governing, the Transportation Enhancements program. Such
17 notice shall include, but not be limited to, the definitions of eligible projects, the requirements for matching
18 funds, and such other requirements as may be necessary to insure that any interested entity may work to
19 become a participating recipient under the program. For new projects, the Department of Transportation is
20 directed to submit a detailed list of all projects funded within the Transportation Enhancement Program or
21 its successor to the Office of Management and Budget and Office of the Controller General on an annual
22 basis. ~~The State funding for this program shall be limited to the required 20 percent match of the related~~
23 ~~Federal Authorization. The projects funded by this program shall be limited to the allowable categories as~~
24 ~~outlined by the Federal Highway Administration. Any deviation from this process must be approved by the~~
25 ~~Office of Management and Budget, Office of the Controller General and Co Chairs of the Joint Committee~~
26 ~~on Capital Improvements.~~

1 (b) Upon the award of Transportation Enhancement Program funds and prior to the allocation of
2 funding for any Transportation Enhancement project, the Department of Transportation shall notify the
3 respective senators and representatives in which said project shall be located.

4 (c) The Department of Transportation will determine the impact of the new Transportation
5 Alternatives program, including eligibility guidelines, funding allocations for various program areas and
6 funding levels based on the MAP-21 authorized funding for Delaware.

7 (d) The Department of Transportation will report this information to the Office of Management and
8 Budget and the General Assembly as part of its capital budget request and thereafter, once approved, meet
9 the terms outlined in this section.

10 **Section 92. Grants and Allocations.** The Section 1 Addendum of this Act appropriates the sum
11 of \$21,750,000 (State) for projects within the Grants and Allocations classification. The General Assembly
12 further defines its intent with respect to those appropriations as follows:

13 (a) The sum of \$16,750,000 (State) shall be used for the Community Transportation Fund, in
14 accordance with the rules and regulations as adopted by the Joint Legislative Committee on the Capital
15 Improvements Program, as amended from time to time.

16 (b) The sum of \$5,000,000 (State) shall be used for the Municipal Street Aid program pursuant to
17 the provisions of 30 Del. C. c. 51. ~~Of this amount, \$1,000,000 shall be dedicated to improvements~~
18 ~~involving respective municipalities' roads and bridges and sidewalks and crosswalks associated with said~~
19 ~~projects.~~

20 **Section 93. Municipal Street Aid Eligible Uses.** Amend Chapter, 51, Title 21 of the Delaware
21 Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

22 “§ 5161. Definitions.

23 As used in this subchapter:

24 (1) "Municipality" means any incorporated city or town charged with any duty connected with the
25 construction or maintenance of streets and having been in existence for a period of 1 year.

1 (2) "Municipal Street Aid Fund" means the funds set up under this subchapter from money received
2 under this subchapter.

3 (3) "Street improvements" means construction, reconstruction, repair and maintenance of streets,
4 including paving, repaving, grading and drainage, repairs, acquisition of rights-of-way, extension and
5 widening of existing streets, elimination of railroad grade crossings, acquisition of trucks and other
6 equipment necessary in the construction and maintenance of streets, removal of snow and ice and the laying
7 of materials for traction, purchase and installation of street identification signs and traffic control signs,
8 construction, reconstruction and repair of sidewalks and underpasses and overpasses necessary for
9 pedestrian safety, administration and other necessary expenses in connection with such street
10 improvements, ~~and the expenses of law enforcement for the policing of the streets, including, but not~~
11 ~~limited to, salaries, equipment, vehicles and supplies.~~

12 (4) "Streets" includes streets, highways, avenues, boulevards, bridges, tunnels, alleys or other
13 public ways dedicated to public use and maintained for general ~~motorized~~ vehicular travel lying within a
14 municipality's corporate boundary, except that this term does not include state or federal highways within
15 municipalities maintained by the Department of Transportation. The Department shall determine which
16 areas are eligible for municipal street aid funds."

17 **Section 94. 5310 Program.** The Delaware Transit Corporation is authorized to expend up to
18 \$1,338,064 (\$867,613 State; \$470,451 Federal) from the Transit System classification (97301) appropriated
19 in this Act for the 5310 Program, administered by the Federal Transit ~~Authority~~ Administration.

20 **Section 95. DelDOT Work Impacts on Private Property and its Owners.** When the
21 Department and/or any of its contractors determines that it would be in the best interests of the State to
22 undertake construction/reconstruction work past 9:00 p.m. or before 7:00 a.m., and such work is to be
23 conducted immediately adjacent to a residential neighborhood:

24 (a) The Department shall first ensure that residents of the neighborhood are notified in a timely
25 fashion of the Department's desire to undertake such work. It must explain the benefits and costs to the
26 State and the neighborhood of working under regular hours and the proposed extended hour schedule. Such

1 notifications shall include a description of the proposed work to be conducted, the proposed use of any
2 equipment that may cause noise, vibration or odor disruptions to the neighborhood, and an estimate of the
3 time required to complete the project. The Department may proceed with its extended hours of work if it
4 does not receive a significant number of objections from the notified residents. Pursuant to the provisions
5 of the Delaware Code, it shall offer temporary relocation to any residents who request such relocation.

6 (b) The Department may proceed with its extended hours of work so long as jack hammering or
7 other high noise activities do not impose an excessive nuisance to residents within the designated work
8 zone.

9 (c) If the Department determines that the proposed work (regardless of its scheduled time) will
10 produce noise that exceeds the applicable noise ordinances of the appropriate jurisdiction, the Department
11 shall ensure that it seeks and receives a waiver from that jurisdiction before commencing the work.

12 (d) If the Department determines that the proposed work may cause any vibration or other damage
13 to neighboring property, it shall complete a pre-work survey of the potentially affected properties to
14 determine the base-line condition of those properties. It shall monitor the properties during construction to
15 insure that any vibration or other damage is minimized. If any damage does occur, the Department must
16 reimburse the private property owners pursuant to the provisions of the Delaware Code. The Secretary of
17 the Department may waive the provisions of this section if he/she determines that any such work is
18 necessary in order to respond effectively to an emergency caused by a natural disaster, an accident, or a
19 failure of a transportation investment.

20 **Section 96. Indian River Inlet Bridge.** State funds authorized in this and previous Acts of the
21 General Assembly for the design and construction of a new bridge at the Indian River Inlet and the
22 construction of new park amenities, access and circulation roads, and other transportation and recreation
23 improvements shall be used, to the maximum extent possible, to match federal funds previously available,
24 or to become available in the future. In keeping with the strong sense of community involvement and sense
25 of ownership, the Department shall continue to provide periodic progress updates through such media as it
26 determines to best address the community's needs. And finally, because in order to accomplish this project

1 in an efficient and cost-effective manner, the Department and its contractors will have to occupy portions of
2 the State's adjacent campground and marina facilities, the General Assembly authorizes and directs the
3 Secretary of the Department to enter into reimbursement agreements with the Secretary of DNREC. Such
4 agreements will insure that during the period of construction of the bridge and other necessary
5 improvements, DNREC shall be equitably indemnified from the loss of critical tourist revenues, which are
6 necessary to fund the operations of all of the State's outdoor recreational facilities.

7 **Section 97. City of Wilmington Beautification.** In order to maintain the urban tree canopy
8 available in the City of Wilmington, the General Assembly authorizes and directs the Department to
9 establish, and maintain a program of tree maintenance and replacement in cooperation with the Delaware
10 Center for Horticulture (Center) and/or Urban Forestry in the Department of Agriculture. It is the intent of
11 the General Assembly that such program shall be funded exclusively by allocations made from time to time
12 by members of the General Assembly from their Community Transportation Funds (CTF). The Department
13 shall make payments to the Center and/or Urban Forestry in the Department of Agriculture for work
14 accomplished, and appropriately vouchered, from the CTF funds herein identified.

15 **Section 98. Supplies of Road Materials.** 74 Del. Laws, c. 308 § 109 is suspended until such time
16 as the Department of Transportation shall suggest its re-institution and such suspension has been overridden
17 by an Act of the General Assembly.

18 **Section 99. System Capacity Preservation.** The General Assembly hereby determines that it is in
19 the public interest to limit future residential, commercial, or industrial growth along certain portions of the
20 State's highway network. Such potential growth would produce unsafe driving conditions as increased
21 traffic seeks access to, and movements along, a number of local roads and collectors in critical locations
22 through the State. The General Assembly further determines that it would be infeasible or imprudent for
23 the Department to attempt to design and construct modifications to the State's highway network adjacent to
24 these locations because such improvements would irrevocably destroy the important scenic and historic
25 nature of the view sheds and other environmental attributes associated with these locations. Accordingly,
26 the Secretary of the Department of Transportation (Secretary) is authorized and directed to use State funds

1 appropriated to the Transportation Enhancements program authorized and funded in the Section 1
2 Addendum of 74 Del. Laws, c. 308, together with such other funds from any public or private source as
3 may be available and appropriate, to purchase land, or such rights in land, as the Secretary deems necessary
4 to protect the following properties, pursuant to the stipulations stated herein. Expenditures of these funds
5 for these purposes shall be with the review and approval of the Director of the Office of Management and
6 Budget and Controller General. The provisions of 17 Del. C. c. 1 and 29 Del. C. c. 93 and c. 95 shall govern
7 such purchases, and any other purchase by the Department authorized by this Act.

8 (a) Millcreek Farm (Yearsley) Property - Four parcels totaling approximately 35 +/- acres adjacent
9 to Mill Creek (SR 282) and Stoney Batter (SR 283) Roads in New Castle County. The Department shall
10 work with members of the surrounding community, plus State and local officials, to develop a master plan
11 for the permanent protection of the site as community recreation and education and open space, ~~and upon~~
12 ~~satisfactory completion of such plans, may transfer the parcel to New Castle County for a fee to be~~
13 ~~determined.~~ Notwithstanding 17 Del. C. §137, the Department of Transportation, upon completion of plans
14 to reconfigure the intersection of Stony Batter Road and Mill Creek Road, is authorized to transfer said
15 property to the Red Clay Consolidated School District.

16 **Section 100. Denny Road/Route 896 Alignment Completion.** Upon completion and final
17 inspection of the Denny Road/Route 896 Realignment Project, the frontage property consisting of two
18 parcels (0.93 and 0.929 acres) along Route 896, currently landscaped and maintained by the community of
19 Meadow Glen, shall revert back to the community which had owned said parcels prior to 1994.
20 Notwithstanding the provisions of 17 Del. C. § 137, the Department shall deed these parcels to the
21 community and remain in their possession in perpetuity.

22 **Section 101. Port of Wilmington.** Subject to the review and approval of the Board of Directors of
23 the Diamond State Port Corporation (DSPC):

24 (a) DSPC may make application to the Delaware River and Bay Authority (DRBA) for such
25 assistance in the acquisition and improvement of facilities at the Port as the Board of the DSPC deems
26 appropriate, in accordance with the Compact authorized under 17 Del. C. § 1701. For purposes of those

1 negotiations, any such project selected by the DSPC shall be construed to have been approved by the
2 General Assembly and Governor as required by law subject to the conditions that any such project shall be
3 subject to 29 Del. C. c. 69 and that such projects are subject to the approval of the Director of the Office of
4 Management and Budget, the Controller General and the Co-Chairs of the Joint Legislative Committee on
5 the Capital Improvement Program.

6 (b) DSPC is authorized to arrange for the lease of equipment from the State's master lease, secured
7 by the State's full faith and credit, in an amount not to exceed \$5,000,000 in the aggregate. The
8 expenditure of these funds and the terms of the lease shall be subject to the review and approval of the
9 Board of Directors of DSPC. A report of equipment leased including terms and amounts due shall be made
10 available to the Secretary of Finance, Director of the Office of Management and Budget and Controller
11 General annually.

12 **Section 102. Wakefield Drive.** The Department of Transportation shall be prohibited from
13 reopening Wakefield Drive in Newark through Old Baltimore Pike.

14 **Section 103. Community Transportation Funding Levels.** The Department is directed to
15 account for the Community Transportation Program funds as cash which shall be equal to the amounts
16 authorized in Appendix A of this Act, ~~as well as previous Bond and Capital Improvements Acts.~~ The funds
17 authorized within the Community Transportation program shall not be subject to deauthorization or
18 reallocation by the Department under any circumstances.

19 **Section 104. Design-Build Contracts.** The Department of Transportation is hereby authorized to
20 continue utilization of the design-build contract mechanism for a total of twelve transportation construction
21 projects (ten of which have been authorized). Design-build is a project delivery method under which a
22 project owner, having defined its initial expectations to a certain extent, executes a single contract for both
23 architectural/engineering services and construction. The selection processes and other terms of such
24 contracts may vary considerably from project to project. The design-build entity may be a single firm, a
25 consortium, joint venture, or other organization. However, the fundamental element of design-build
26 delivery remains that one entity assumes primary responsibility for design and construction of the project.

1 The Department of Transportation is authorized to continue the use of these experimental approaches to
2 completing its projects, subject to the following conditions:

3 (a) The contract terms shall include provisions to pay the prevailing wage rates determined by the
4 Department of Labor, as provided in 29 Del. C. § 6960, in conjunction with Federal prevailing wage rates
5 for such work;

6 (b) The following additional provisions of 29 Del. C. c. 69 shall also be incorporated into these
7 design-build contracts: § 6962(d)(4)a. (anti-pollution, conservation environmental measures); § 6962(d)(7)
8 (equal employment opportunity assurances); and § 6962(d)(8) (performance bonding requirements);

9 (c) Any such contracts shall conform to all applicable Federal laws and regulations concerning
10 design-build contracting, including but not limited to 23 C.F.R. Part 636, without regard to the source of
11 funds; and

12 (d) Any design-build contract for the construction of any transportation facility shall also be
13 subject to the provisions of 17 Del. C. c. 8 (construction payments held in trust for protection of
14 subcontractors and suppliers).

15 All other provisions of 29 Del. C. c. 69 shall not be applicable to these projects. The Co-Chairs of
16 the Joint Legislative Committee on the Capital Improvement Program and the Director of the Office of
17 Management and Budget shall approve all other projects subject to this section.

18 **Section 105. New Development Road Widening.** When planning and/or permitting additional
19 road widening directly related to new residential development, the Department of Transportation, Division
20 of Planning, shall make every attempt to require the necessary right-of-way land be acquired from the
21 developer owned land.

22 **Section 106. W. L. Gore Site.** In evaluating and recommending improvements to the
23 transportation system related to the development of what is known as the W.L. Gore site, located in New
24 Castle County and situated on the north side of Sunset Lake – east of SR 896 and southeast of Old Cooch’s
25 Bridge Road, the department will make every effort to ensure that the improvements made facilitate and
26 encourage traffic to travel toward and use SR 896 and to discourage additional use of Old Cooch’s Bridge

1 Road east of the entrance to the W.L. Gore property. This is in recognition of the historic characteristics of
2 Old Cooch’s Bridge Road in the vicinity of the intersection with Old Baltimore Pike.

3 **Section 107. Route 301 Spur Road Segment.** The General Assembly directs the Department to
4 implement the US 301 Corridor project in Phases, beginning with the US 301 mainline section.

5 **Section 108. Astra Zeneca Project.** The Department shall carry out property boundary
6 adjustments and easements for transit, bicycle and pedestrian, storm water management, wetlands and
7 stream restoration, beautification, historic preservation, conservation and other improvements in concert
8 with DNREC, DEDO, City of Wilmington, New Castle County, New Castle County Conservation District,
9 and such other public and private entities as may be necessary to accomplish timely completion of the Blue
10 Ball Master Plan.

11 **Section 109. Buck Road.** The Department of Transportation is requested to refrain from issuing
12 any entrance permit, authorization, or approval for use of any entrance way from New Castle County Parcel
13 Number 0702600094 onto Buck Road, until such time as it also certifies by letter to the New Castle County
14 Department of Land Use that the developer’s proposed entrance design conforms with the Department’s
15 subdivision requirements, pursuant to its authority under 17 Del. C. § 146 and its related regulations,
16 intended to protect public safety and maintain smooth traffic flow. The government of New Castle County
17 is also requested to solicit comments from and work with the residents of surrounding communities,
18 community organizations, and State and local officials to address traffic safety and other legitimate land use
19 concerns about the proposed development, after the receipt of the Department’s letter. The design of the
20 entrance on Buck Road for Greenville Center will include a sidewalk from the entrance to the surrounding
21 Greenville Manor Community on Ardleigh Drive.

22 **Section 110. Routes 141 and 48.** The Department of Transportation is requested to refrain from
23 issuing any permit, authorization, or approval for use of any new, additional, revised, or modified entrances
24 for New Castle County Parcel Numbers 07-032.20-003, 07-032.20-048 through and including 07-032.20-
25 055, 07-032.20-057 and 07-032.30-072 onto or from Route 141 or Route 48, until such time as the
26 Department obtains, reviews, and comments upon a traffic operations analysis for the area, which among

1 other elements addresses (1) the predicted levels of service on intersections, roadways, or the Tyler
2 McConnell Bridge affected by the proposed development of these parcels, and (2) the roadway
3 improvements necessary to accommodate the development of these parcels, based upon the exploratory
4 development plans submitted to the New Castle County Department of Land Use by the developer, as
5 required by the County’s Unified Development Code (UDC). To the extent that any submission of
6 proposed development plans is substantially different than the original exploratory development plans
7 submitted to the County, the Department is further requested to assess the impact of the new submission’s
8 traffic generation upon the local transportation network. The scope of the assessment shall be at the
9 reasonable discretion of the Department.

10 **Section 111. Delaware City DMV New Castle Facility.** (a) Section 1 of ~~this Act~~ 78 Del. Laws,
11 C. 292 makes an appropriation to the Department of Transportation, Support Systems; under Transportation
12 Facilities appropriation for the design and construction of a new Division of Motor Vehicle (DMV) facility
13 in New Castle County. The new facility will be located at the existing Mid County transit hub, which is
14 currently owned by DelDOT. This new facility will replace the current DMV site currently located on
15 Airport Road. While funding for the project is included in the Transportation Trust Fund, and is proposed
16 to be matched with federal congestion mitigation funds, the Office of Management and Budget (OMB) –
17 Division of Facilities Management will manage the construction process with oversight from DelDOT’s
18 Support Services personnel.

19 (b) It is the intent of the General Assembly that the Department of Transportation provide for an
20 inclusive and open process whereby the views and ideas of the residents in the neighborhoods surrounding
21 the Airport Road Facility be gathered and provided to the Office of Management and Budget and
22 considered prior to any future plans or commitments being made regarding the facility.

23 **Section 112. Red Light Safety Enforcement.** (a) The program shall continue to use recognized
24 safety and accident criteria in determining whether and where to add any new enforcement locations to this
25 program, and in any event shall continue to confirm that any such new locations are not objected to by the
26 incumbent state Senator and Representative for the districts in which such locations are proposed.

1 (b) To assure integrity and propriety, no person involved in the administration or enforcement of
2 this program shall own any interest or equity in the vendor used by the Department to support the
3 administrative elements of the program. Any such person with an ownership or equity interest in such
4 vendor must divest from this ownership or investment no later than ninety days after the effective date of
5 this act. This restriction applies to anyone with either direct involvement in administering or enforcing this
6 program and those in any supervisory capacity above such persons.

7 **Section 113. Craft Training.** The Department of Transportation is authorized to engage in up to
8 two project procurements (one in New Castle County and one in Kent County) utilizing the craft training
9 and apprentice program called for in 29 Del. C. § 6962(c), on an experimental basis. Any contractor that
10 performs work in multiple trades on a road construction project under the craft training experiment will
11 have an apprenticeship in at least one, not all of the trades on the project to comply with this experiment.
12 Upon the completion of these experiments, the Department shall report to the Joint Legislative Committee
13 on the Capital Improvement Program with its assessment of the program including, but not limited to, cost
14 savings, project quality and worker safety.

15 **Section 114. Chestnut Hill Road Parcel.** The provisions of 17 Del. C. § 137 notwithstanding, the
16 Department of Transportation is authorized to enter into agreements with other governmental agencies,
17 either directly or in concert with a private entity, regarding a Department-owned parcel known as NC227,
18 tax parcel no. 11-003.30-027, on terms the Department Secretary deems appropriate, for purposes of
19 evaluating the costs and benefits of fuel cell technology from environmental and economic development
20 perspectives, which the General Assembly hereby finds is an appropriate public purpose.

21 **Section 115. Rehabilitation of Public Streets, Industrial Parks.** In order to maintain a safe,
22 attractive, and efficient network of public streets serving the state's growing inventory of industrial parks,
23 the General Assembly hereby authorizes the Department to spend sums not exceeding \$250,000 on a pilot
24 program to address this issue. The Department shall prepare an inventory of all public streets within the
25 state's industrial parks. It shall further rank all of these streets in the same manner that it prepares the
26 annual program of roads eligible for the Paving and Rehabilitation Program authorized elsewhere in this

1 Act. The Secretary shall then distribute this list to all members of the General Assembly, together with an
2 estimate of the amounts necessary to address those public streets in this inventory most in need of repair. If
3 a member of the General Assembly elects to allocate funds from his/her Community Transportation Fund
4 (CTF) to repair any of these public streets, the Secretary may draw on this appropriation to match those
5 individual CTF dollars on the basis of \$1 dollar from this special account for every \$1 dollar allocated by
6 the member. The Secretary shall notify all members of his intent to make such matching allocations, and
7 shall require any member interested in participating to notify the Department of his/her interest in
8 participating by a date certain, not less than one month from the date of such announcement. In the event
9 that the sum of all individual Member requests exceeds the amounts authorized by this section, the
10 Department shall prioritize the industrial park streets to be improved on the basis of the ranking required by
11 this section, and shall share its decisions with all members of the General Assembly. For purposes of
12 preparing this inventory and ranking, the Department is authorized and directed to expend such sums as
13 may be necessary from the accounts established for statewide paving and rehabilitation activities.

14 **Section 116. Community Transportation Fund.** ~~The Department of Transportation is directed to~~
15 ~~meet with one Senator and one Representative from each county to evaluate the rules governing the Joint~~
16 ~~Legislative Committee on the Capital Improvements Program Rules for projects funded through~~
17 ~~Community Transportation Funds. The Department shall prepare a report and present the report to the co-~~
18 ~~chairs of the Joint Legislative Committee on the Capital Improvement Program by December 30, 2012.~~

19 The Department of Transportation will provide an annual financial report regarding projects funded
20 through Community Transportation Fund and will report to the co-chairs of the Joint Legislative Committee
21 on the Capital Improvement Program by June 30 of each fiscal year.

22 **Section 117. Weldin House.** WHEREAS, the State of Delaware, acting through the Department
23 of Transportation (hereinafter referred to as the "Grantee" or "DelDOT") entered into an Permanent
24 Conservation Easement Agreement with Sycamore Development Group, LLC (hereinafter referred to as
25 "Grantor") on December 22nd , 2005. This Permanent Conservation Easement Agreement (hereinafter
26 referred to as the "Agreement") between the Grantee and the Grantor was for the fee simple conveyance of

1 a parcel of land in New Castle County of the State of Delaware, identified as Tax Parcel Number 06-
2 139.00-158, This parcel includes a building known as the Jacob Weldin House which is a historic landmark
3 in a condition of disrepair and in need of significant restoration. Due to the historic value of the parcel and
4 the need for the building on the lot to be restored, title was conveyed to Grantor which included a multitude
5 of limitations and conditions that would be imposed upon the Grantor, including a Permanent Conservation
6 Easement Agreement that required Grantor to perform many delineated actions. It is noteworthy that the
7 Agreement required the Grantor to preserve and protect the conservation values of the property and to
8 complete the restoration and rehabilitation and renovation of the Jacob Weldin House in a timely manner.
9 This Agreement expressly allowed DeIDOT, as the Grantee of this parcel, to be able to take actions against
10 the Grantee to enforce the Agreement if a factual situation arose that would require such actions. DeIDOT is
11 the only entity that is authorized pursuant to the terms of this Agreement, after certain notice provisions are
12 accomplished to bring an action at law or in equity in a court to enforce the terms of the Agreement and to
13 obtain temporary or permanent injunctions to require the restoration of the Jacob Weldin House to its prior
14 condition.

15 It is clear to anyone who looks upon the Jacob Weldin House, that almost no rehabilitation work
16 has been performed on the Jacob Weldin House, and that the Grantor has failed to meet its obligations as
17 required by the Agreement. As DeIDOT is the only entity that has standing to enforce the Agreement
18 against Grantor, the General Assembly hereby requests DeIDOT to immediately and timely take actions to
19 enforce the Agreement against the Grantor. DeIDOT is further requested to continue its ongoing efforts to
20 timely address the Grantor's requirement to abide by the terms of the Agreement until Grantor has either
21 fully fulfilled its obligation or until a court of law or equity has ordered that the title to the Jacob Weldin
22 House be returned to Grantee, due to the actions of the Grantor.

23 **Section 118. Appoquinimink School Property 301 Project.** Notwithstanding any provision of
24 state law to the contrary, including but not limited to 14 Del. Code Section 1057, the Appoquinimink
25 School District is hereby authorized and directed to execute deeds and any other required documentation to

1 complete the transfer of certain properties to the Department of Transportation for the US 301 Project, as
2 described herein and detailed in the Department's Project Right of Way Plans, to wit:

- 3 (a) 22.94+/- acres, representing the dedicated 300-foot Project Corridor;
4 (b) 0.08+/- acres, as permanent easements, combining 0.05+/- and 0.03+/- acre segments respectively;
5 (c) 6.64+/- acres, in fee simple, combining segments of 0.67+/-, 0.76+/-, 3.08+/-, 0.67+/-, 0.85+/- and
6 0.61+/- acres respectively;
7 (d) 3.44+/- acres, as temporary construction easements, combining segments of 0.59+/-, 2.39+/-, and
8 0.46+/- acres respectively.

9 In connection with this transfer, the Department of Transportation is directed to reimburse Appoquinimink
10 School District for the District's local share of the payments made for the acreage described in subsections
11 (b) and (c) herein.

12 **Section 119. Route 273 Multi-Use Trail Facility.** Notwithstanding any provision of the law to
13 the contrary, including but not limited to 14 Del. C. § 1057, the Colonial School District is hereby
14 authorized and directed to execute all necessary deeds and other documentation required by the Department
15 of Transportation to acquire certain fee parcels and temporary construction easements for the Route 273
16 Multi-Use Facility Project, DelDOT Contract No. T201120013, more particularly described as Tax Parcel
17 No. 21.010.00-002, Parcel No. 6-L, a fee acquisition of approximately 0.3460 acres; Tax Parcel No. 21-
18 010.00-002, Parcel No. 6-L, a temporary easement of approximately 0.1117 acres; Tax Parcel No. 21-
19 010.00-015, Parcel No. 8-L, a fee acquisition of approximately 0.0232 acres; and Tax Parcel No. 21-
20 010.00-015, Parcel No. 8-L, a temporary easement of approximately 0.1983 acres, as shown on the plans
21 for said project, from station numbers 202+48.65 to station number 209+19.27 (6-L), and from station
22 number 219+89.57 to station number 219+14.51.

23 **Section 120. Route 1 Widening.** The Department is encouraged to consider all feasible and
24 prudent options with respect to access issues for the proposed widening of State Route 1 between State

1 Route 273 and the Senator William V. Roth Bridge, including but not limited to the provision of new ramps
2 in the vicinity of Newtown Road.

3 **Section 121. Community Transportation Fund.** The Department of Transportation shall
4 continue to allow the funding of state historical markers through the Community Transportation Fund. Said
5 CTF-funded markers shall be placed either within the right-of-way, or as close thereto as safety conditions
6 will permit and shall be positioned to be as visible as possible from the roadway consistent with applicable
7 highway safety standards. State historical markers, regardless of placement, shall be exempt from all county
8 or local signage regulations, ordinances, fees or licenses. Existing historical markers shall be brought into
9 compliance with current standards only as they require replacement, in which case CTF funding may be
10 used for said replacement and, if necessary, repositioning consistent with current safety standards. If a
11 marker must be relocated or replaced as the result of a transportation road project, the cost of said relocation
12 or replacement, as well as the cost of upgrading of the marker to current safety standards shall be borne by
13 DelDOT as an expense of the project.

14 **Section 122. Estates at West Shore Homeowners Association.** Notwithstanding the provisions
15 of Title 29 to the contrary, the Delaware Department of Transportation is hereby authorized to use
16 Community Transportation Funds for a one-time reimbursement to the Estates at West Shore Homeowners
17 Association. The Department shall be authorized to reimburse the Estates at West Shore Homeowners
18 Association in the amount of \$12,412.85 for reimbursement of drainage improvements.

19 **Section 123. Transportation Trust Fund Operations Review.** It is the intent of the General
20 Assembly that a comprehensive review of financing the operations of the Department of Transportation
21 through the General Fund over a multi-year period be conducted. Operations of the Department of
22 Transportation shall include all units including the Office of the Secretary, Finance, Public Relations,
23 Human Resources, Technology and Support Services, Planning, Maintenance and Operations, the Delaware
24 Transit Corporation, excluding DTA indebtedness, Transportation Solutions and Motor Vehicles. Said
25 review shall include, but not be limited to, (a) a history of the Department of Transportation operating units
26 transferred from the General Fund to the Transportation Trust Fund; (b) a history of revenue enhancements

1 supporting the Transportation Trust Fund; and (c) the overall impact of reallocating said units from the
2 Transportation Trust Fund to the General Fund including its sustainability compared to the long-term
3 revenue outlook of the General Fund. The review shall be conducted by a committee including:

- 4 1. The Secretary of Transportation and Controller General, who shall serve as co-chairs;
- 5 2. Director of the Office of Management and Budget;
- 6 3. Secretary of Finance;
- 7 4. Two members appointed by the Co-Chairs of the Joint Finance Committee; and
- 8 5. Two members appointed by the Co-Chairs of the Joint Legislative Committee on the Capital
9 Improvement Program.

10 The Department of Transportation, as requested, shall provide staff assistance to the committee.

11 Said review shall be submitted to the Governor and members of the General Assembly no later than
12 December 1 of this fiscal year.

13 **Section 124. Red Clay Consolidated School District New Construction.** In connection with the
14 review of development plans for the Red Clay School District's new elementary school, proposed for
15 construction at Graves Road and Newport Gap Pike, the Department of Transportation is directed to apply
16 its new subdivision regulations, effective May 10, 2013 with respect to scoping the school's traffic impacts.
17 The government of New Castle County is also directed to apply the Department's new scoping procedures
18 in its subdivision approval process for this school.

1 **DEPARTMENT OF AGRICULTURE**

2 **Section 125. Farmland Preservation.** For the fiscal year ending June 30, ~~2013~~ 2014, ~~\$3,000,000~~
3 \$1,800,000 of the ~~\$10,000,000~~ \$6,000,000 allocated for Farmland Preservation Funding may be utilized by
4 the Aglands Preservation Foundation in accordance with the rules and policies for the Delaware Young
5 Farmer Program in accordance with 3 Del. C. c. 9. All remaining state-appropriated funds shall be utilized
6 by the Aglands Preservation Foundation to preserve eligible farms statewide through the traditional
7 farmland preservation program at its discretion in accordance with Aglands Foundation rules and policies.
8 Local jurisdiction funds committed to farmland preservation for Fiscal Year ~~2013~~ 2014 shall be spent to
9 preserve farmland only in the respective jurisdictions where the funds originate. Farms to be preserved
10 shall be selected by the local jurisdictions according to the jurisdictions selection criteria from eligible
11 farms as listed by the Aglands Preservation Foundation. Similarly, any funds provided by nongovernment
12 organizations shall be spent according to their selection criteria from eligible farms as listed by the Aglands
13 Preservation Foundation.

1 **FIRE PREVENTION COMMISSION**

2 **Section 126. Hydraulic Rescue Tools Replacement.** It is the intent of the General Assembly that
3 the funds authorized in the Section 1 Addendum of this Act be used to reimburse the Fire School,
4 ~~Claymont, Wilmington Manor, Carlisle and Citizen's Hose~~ Christiana, Clayton, Dover, South Bowers,
5 Milton and Lewes/Rehoboth Beach fire companies. Upon submitting the receipt of sale, each company will
6 be reimbursed up to \$7,500 by the Fire Prevention Commission - State Fire School (75-02-01).

1 **DELAWARE NATIONAL GUARD**

2 **Section 127. Delaware National Guard.** Notwithstanding 29 Del. C. c. 69 or any other statutory
3 provision to the contrary, the Delaware National Guard may use design/build project delivery methodology
4 for the purpose of constructing a Field Maintenance Shop (FMS) at Dagsboro Readiness Center. To enable
5 the pursuit of a design/build methodology for this project, all provisions of 29 Del. C. c. 69 are hereby
6 waived with the exception of § 6960 related to prevailing wage.

1 **DELAWARE STATE UNIVERSITY**

2 **Section 130. Convocation Study.** The Section 1 Addendum to ~~this Act~~ 78 Del Laws, C. 292
3 appropriates \$250,000 to Delaware State University for a Convocation Center Feasibility Study. It is the
4 intent of the General Assembly that such funding will not commit the state to future construction
5 expenditures.

6 **Section 131. New Castle County Campus.** Delaware State University, upon concurrence of the
7 Director of the Office of Management and Budget and the Controller General, is authorized to use up to
8 \$1,200,000 prior year funds appropriated for Minor Capital Improvement and Equipment to assist with
9 campus improvements to its New Castle County Campus.

1 **DELAWARE TECHNICAL AND COMMUNITY COLLEGE**

2 **Section 132. College-wide Asset Preservation Program.** The Section 1 Addendum of this Act
3 provides funds for Delaware Technical and Community College (90-04-00) for the College-wide Asset
4 Preservation Program. This appropriation may be used for the acquisition of computer hardware and
5 software.

1 **DEPARTMENT OF EDUCATION**

2 **Section 133. School Building and Custodial Verification.** By September 30 of each calendar
3 year, each school district shall notify the Department of Education of its intended use for each school
4 building and administrative office building. School districts shall notify the Department about changes in
5 the use of such buildings to include the sale of property, closing of a building, lease of property to another
6 agency, and additions and renovations. The Department of Education shall establish a standard reporting
7 mechanism that school districts shall utilize to gather and submit required information.

8 By October 30 of each calendar year, the Department of Education shall verify and reissue
9 custodial allocations to each school district based on the information obtained annually.

10 **Section 134. Land Donation for School Construction.** Any land donated to a school district with
11 an approved major capital improvement program shall be required to return to the State one-half of the
12 State share amount originally budgeted for land purchase costs. In such case, the district shall be entitled to
13 keep the remaining one-half State share amount, as well as the full local share amount in accordance with
14 the certificate of necessity.

15 **Section 135. Minor Capital Improvements.** It is the intent of the General Assembly that the sum
16 of ~~\$10,343,800~~ \$10,893,200 allocated in the Section 1 Addendum to this Act be used for minor capital
17 improvements to school buildings in the following amounts. Districts must use the funds in the amounts
18 below on projects listed on the facility assessment website hosted by the Department of Education.

School District	Maximum State Share	Maximum Local Share	Total Cost
Appoquinimink	\$703,536	\$469,024	\$1,172,560
Brandywine	794,155	529,437	1,323,592
Special	19,019		19,019
Caesar Rodney	512,979	341,986	854,965
Special	29,460		29,460
Cape Henlopen	342,409	228,273	570,682
Special	31,573		31,573

1	Capital	457,266	304,844	762,110
2	Special	17,651		17,651
3	Christina	1,219,946	813,297	2,033,243
4	Special	61,033		61,033
5	Colonial	728,000	485,333	1,213,333
6	Special	11,685		11,685
7	Delmar	97,629	65,086	162,715
8	Indian River	652,672	435,115	1,087,787
9	Special	14,917		14,917
10	Lake Forest	291,469	194,313	485,782
11	Laurel	161,919	107,946	269,865
12	Milford	309,891	206,594	516,485
13	Red Clay	1,191,083	794,055	1,985,138
14	Special	16,532		16,532
15	Seaford	258,056	172,037	430,093
16	Smyrna	381,564	254,376	635,940
17	Woodbridge	168,557	112,371	280,928
18	New Castle VoTech	591,564		591,564
19		Maximum	Maximum	
20	School District	State Share	Local Share	Total Cost
21	Polytech	146,679		146,679
22	Sussex Tech	162,714		162,714
23	Campus Community	43,407		43,407
24	Academy of Dover	19,093		19,093
25	Aspira Academy	22,673		22,673
26	DAPSS	8,726		8,726
27	Delaware College Prep Academy	20,585		20,585
28	DE Military Academy	41,692		41,692
29	East Side Charter	29,908		29,908

1	Family Foundations	56,012		56,012
2	Gateway Charter	13,649		13,649
3	Kuumba Academy	19,391		19,391
4	Maurice Moyer Academy	14,320		14,320
5	M.O.T. Charter	50,492		50,492
6	Newark Charter	100,239		100,239
7	Odyssey Charter	37,291		37,291
8	Peneader Charter	37,813		37,813
9	Positive Outcomes	9,323		9,323
10	Prestige Academy	22,375		22,375
11	Providence Creek	51,313		51,313
12	Reach Academy	19,839		19,839
13	Sussex Academy of Arts	24,985		24,985
14	Thomas Edison	54,371		54,371
15	Wilmington Charter	72,345		72,345
16	Total to Schools	\$10,143,800	\$5,514,087	\$15,657,887
17	Vocational Equipment	85,000	56,667	141,667
18	State Board Contingency	115,000	76,667	191,667
19	TOTAL	\$10,343,800	\$5,647,421	\$15,991,221
20		<u>Maximum</u>	<u>Maximum</u>	
21	School District	State Share	Local Share	Total Cost
22	Appoquinimink	\$718,559	\$479,039	\$1,197,598
23	Brandywine	798,789	532,526	1,331,315
24	Special	19,796		19,796
25	Christina	1,219,063	812,709	2,031,772
26	Special	60,758		60,758
27	Colonial	735,591	490,394	1,225,985
28	Special	11,703		11,703

	<u>Maximum</u>	<u>Maximum</u>	
<u>School District</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
Red Clay	1,207,110	804,740	2,011,850
Special	17,181		17,181
Caesar Rodney	519,627	346,418	866,045
Special	29,383		29,383
Capital	460,613	307,075	767,688
Special	22,162		22,162
Lake Forest	290,367	193,578	483,945
Milford	313,375	208,917	522,292
Smyrna	386,434	257,623	644,057
Cape Henlopen	348,186	232,124	580,310
Special	33,491		33,491
Delmar	99,653	66,435	166,088
Indian River	674,186	449,457	1,123,643
Special	15,189		15,189
Laurel	155,381	103,587	258,968
Seaford	258,170	172,113	430,283
Woodbridge	168,678	112,452	281,130
Polytech	147,288		147,288
Sussex Technical	175,425		175,425
New Castle VoTech	558,647		558,647
Campus Community	53,412		53,412
Academy of Dover	35,110		35,110
ASPIRA Academy	42,082		42,082
DAPSS	23,905		23,905
Delaware Military Academy	69,224		69,224
East Side Charter	48,805		48,805
Family Foundations	94,498		94,498

	<u>Maximum</u>	<u>Maximum</u>	
School District	State Share	Local Share	Total Cost
Gateway Charter	28,013		28,013
Kuumba Academy	32,744		32,744
<u>Delaware College</u> Prep Academy	28,885		28,885
Maurice Moyer Academy	22,660		22,660
M.O.T. Charter	84,662		84,662
Newark Charter	167,706		167,706
Odyssey Charter School	73,582		73,582
Positive Outcomes	15,314		15,314
Providence Creek	86,530		86,530
Sussex Academy of Arts	42,331		42,331
Thomas Edison	92,506		92,506
Prestige Academy	37,102		37,102
Reach Academy	48,556		48,556
Wilmington Charter	120,768		120,768
Total to Schools	\$10,693,200	\$5,569,187	\$16,262,387
Vocational Equipment	85,000	56,667	141,667
State Board Contingency	115,000	76,667	191,667
TOTAL	\$10,893,200	\$5,702,521	\$16,595,721

The allocations included in this section are contingent upon the passage of House Bill 165 of the 147th General Assembly. Should this legislation not be enacted, the allocations above shall revert to the allocation formula as enacted in prior year Bond and Capital Improvement Acts.

Section 136. Dickinson High School. Funding provided to the Red Clay School District for Equalization as provided for in the Fiscal Year ~~2012~~ 2014 Annual Appropriations Act shall be contingent upon the following:

1 (a) The lighted football field at Dickinson High School may be used at night only for Dickinson
2 home games and Dickinson band practice; and

3 (b) The District is required to maintain the fencing between Dickinson High School and the
4 community of Montclare, keep the gate between the properties locked at all times (except by mutual
5 agreement between the District and the Montclare Civic Association), and provide, maintain and replace, if
6 necessary, the Leland Cypress trees along the fence line bordering the homes on Salem Drive.

7 **Section 137. School Construction Fund Transfers.** Notwithstanding any law or other provision
8 to the contrary, the Department of Education, with the approval of the Director of the Office of
9 Management and Budget and Controller General, may transfer funding between major capital construction
10 projects within the respective school districts. These transfers shall not authorize any changes in conditions
11 or incur any obligations in excess of the approved Certificate(s) of Necessity.

12 **Section 138. School District Financial Reviews.** It is the intent of the General Assembly that, for
13 school districts receiving funds appropriated in the Section 1 Addendum to this Act, should a school district
14 financial position report as required under 14 Del. C. § 1507 demonstrate less than one month of carryover,
15 or if at any time during the course of the fiscal year a school district is projected to not be able to satisfy its
16 local payroll obligations, the Director of the Office of Management and Budget, in coordination with the
17 Secretary of Education and Controller General, is authorized to conduct a comprehensive review of the
18 school district's capital construction program.

19 **Section 139. School Construction Contractual Documents.** Effective January 1, 2007, all
20 school districts that receive State funds for major capital construction projects shall use standard bid and
21 contract documents developed by the Office of Management and Budget, Facilities Management. School
22 districts may enhance the standard bid and contract documents with additional contractual or project-
23 specific requirements as long as the enhancements do not diminish and are not in conflict with the
24 provisions of the standard documents. The Department of Education, in consultation with the Office of
25 Management and Budget, Facilities Management, shall approve any modifications or changes to the

1 provisions of the standard bid and contract documents before a school district may use or enhance the
2 modified documents.

3 **Section 140. Brandywine School District Space Consolidation and Grade Reconfiguration.**

4 The Section 1 Addendum to 76 Del. Laws, c. 79 appropriates \$1,600,000 to the Department of Education in
5 planning money for the renovation of Hanby Middle School in the Brandywine School District and further
6 authorized a local match share of \$1,066,700. In light of declining enrollment and to avoid increasing
7 operating costs, the District has decided to close the Hanby Middle School and has realigned the feeder
8 pattern for its remaining schools. The closure of the Hanby Middle School will allow the District to forego
9 the \$13,134,014 in state share and \$8,756,009 in local match share that would have been required to
10 renovate the school. In lieu of renovating the Hanby Middle School, the Brandywine School District is
11 hereby authorized to use the planning funds previously authorized to demolish the Hanby Middle School
12 and for other costs associated with the District's Space Consolidation and Grade Reconfiguration Plan
13 approved by the Brandywine School District Board of Education on February 25, 2008. Approval is also
14 hereby given to construct the Brandywood Elementary School, approved on C.N. # 0631B, on the site of
15 Hanby Middle School and to complete the renovations of P.S du Pont, on C.N. # 0631C, as a Middle
16 School.

17 Notwithstanding any other state law or regulation to the contrary, the district is authorized to
18 transfer funds with the approval of the Director of the Office of Management and Budget and Controller
19 General across any of the approved Certificates of Necessity C.N. # 0631A-I to meet costs associated with
20 the transition to new grade configurations and to utilize such funds for expenses required to reconfigure
21 grade levels at Harlan Elementary School and Claymont Elementary School.

22 The Brandywine School District shall not be authorized to incur any obligation in excess of the
23 amounts listed on Certificates of Necessity #0631A-I.

24 **Section 141. Milford School District - Access Road.** To insure that property owned by the
25 Milford School District is used in accordance with the priorities established by the Milford School District
26 Board of Education, no state agency or municipality shall use said district property for any type of

1 additional access road without the approval of the Milford School District Board of Education. If the
2 Milford School District Board of Education does not publicly endorse, by affirmative vote, the placement of
3 an additional access road on district property, no state agency or municipality shall be authorized to
4 condemn such district property for said use.

5 **Section 142. Brandywine School District Conveyances.** (a) The General Assembly hereby
6 determines that it is in the public interest to reclaim a portion of the 13.97 acre parcel of land at 500 Duncan
7 Road, Wilmington, DE 19809 (New Castle County tax parcel ID number 06-132.00-188) (the Duncan
8 Road Parcel) held in a governmental capacity by the Brandywine School District in order for the State of
9 Delaware to convey to the Edgemoor Community Center, Inc. (ECC), a not for profit corporation of the
10 State of Delaware, an approximately 3.2 acre portion of said parcel (the ECC Parcel). ECC has provided
11 vital services to the citizens of Delaware since 1978, and has occupied the ECC Parcel exclusively since
12 1989. The General Assembly recognizes that as a titled owner of the ECC Parcel, ECC will be better able
13 to serve the citizens of Delaware and be better positioned to receive grants, including facilities improvement
14 grants. In addition, as a titled holder, ECC may immediately be able to lower its operational costs as it will
15 be able to renegotiate as a secured property holder outstanding debt currently being financed at unsecured
16 debtor rates.

17 The Duncan Road Parcel is hereby divided and title to the ECC Parcel is hereby conveyed to ECC,
18 with the buildings thereon erected, being bounded and described as follows to-wit:

19 BEGINNING at a point formed by the intersection of the Southwesterly side of Duncan Road (60
20 feet wide) with the Northwesterly side of Brandywine Boulevard (67.5 feet wide):

21 Thence, from said Point of Beginning the following thirty-three courses and distances:

- 22 (1) With the aforesaid side of Brandywine Boulevard this and the next three courses and
23 distances, South 42 degrees, 58 minutes, 38 seconds West, 364.88 feet to a point of
24 curvature, thence;
- 25 (2) By an arc curving to the right having a radius of 666.30 feet, an arc distance of 155.22 feet
26 (CHD=South 49 degrees, 39 minutes, 04 seconds West, 154.87 feet) to a point of tangency,
27 thence;
- 28 (3) South 56 degrees, 19 minutes, 30 seconds West, 24.56 feet to a point in line of Tax Parcel
29 No. 06-132.00-188, thence, through the aforesaid tax parcel the following twenty-seven

- 1 courses and distances, and also parallel to the proposed curb the next four courses and
2 distances;
- 3 (4) By an arc curving to the right having a radius of 18.00 feet, an arc distance of 9.97 feet
4 (CHD=North 49 degrees, 32 minutes, 37 seconds West, 9.84 feet) to a point, thence;
- 5 (5) North 33 degrees, 40 minutes, 30 seconds West, 59.06 feet to a point of curvature, thence;
- 6 (6) By an arc curving to the left having a radius of 126.00 feet, an arc distance of 89.83 feet
7 (CHD=North 54 degrees, 05 minutes, 57 seconds West, 87.94 feet) to a point of tangency,
8 thence;
- 9 (7) North 74 degrees, 31 minutes, 23 seconds West, 24.34 feet to a point, thence through the
10 existing baseball field;
- 11 (8) North 36 degrees, 43 minutes, 40 seconds East, 199.57 to a point behind the proposed curb,
12 thence, parallel with same the next two courses an distances;
- 13 (9) South 53 degrees, 56 minutes, 32 seconds East, 69.07 feet to an point, thence crossing the
14 proposed lane;
- 15 (10) North 35 degrees, 57 minutes, 46 seconds East, 27.99 feet to a point behind the existing
16 curb, thence parallel to the aforesaid existing curb;
- 17 (11) North 53 degrees, 35 minutes, 55 seconds West, 80.57 feet to a point of curvature, thence;
- 18 (12) By an arc curving to the right having a radius of 70.00 feet, an arc distance of 20.54 feet
19 (CHD=North 45 degrees, 11 minutes, 30 seconds West, 20.47 feet) to a point of tangency,
20 thence;
- 21 (13) North 36 degrees, 47 minutes, 06 seconds West, 14.08 feet to a point of curvature, thence;
- 22 (14) By an arc curving to the left having a radius of 12.50 feet, an arc distance of 3.46 feet
23 (CHD=North 44 degrees, 42 minutes, 59 seconds West, 3.45 feet) to a point of tangency,
24 thence;
- 25 (15) North 52 degrees, 38 minutes, 53 seconds West, 9.04 feet to a point, thence;
- 26 (16) North 46 degrees, 44 minutes, 48 seconds West, 4.76 feet to a point, thence;
- 27 (17) North 54 degrees, 03 minutes, 32 seconds West, 20.41 feet to a point, thence;
- 28 (18) North 25 degrees, 50 minutes, 17 seconds East, 14.16 feet to a corner of an existing loading
29 dock, thence;
- 30 (19) North 28 degrees, 53 minutes, 25 seconds East, 16.46 feet to a point, thence;
- 31 (20) North 34 degrees, 57 minutes, 29 seconds East, 9.27 feet to a point on the exterior building
32 wall, thence through the existing wall;
- 33 (21) South 59 degrees, 52 minutes, 12 seconds East, 4.22 feet to a point in the center of a new
34 division wall, thence, with same;
- 35 (22) North 35 degrees, 34 minutes, 51 seconds East, 17.34 feet to a point on the face of an
36 existing hallway wall, thence;
- 37 (23) South 63 degrees, 46 minutes, 07 seconds East, 1.45 feet to a point on the roof overhang
38 and the edge of an interior courtyard, thence, with same the next two courses and distances;
- 39 (24) North 35 degrees, 50 minutes, 53 seconds East, 95.51 feet to a point, thence;
- 40 (25) South 54 degrees, 48 minutes, 34 seconds East, 6.12 feet to a point in line of a new

- 1 doorway threshold, thence, with same;
- 2 (26) North 36 degrees, 03 minutes, 21 seconds East, 23.61 feet to a point in line of a retaining
3 wall, thence , with same the next four courses and distances;
- 4 (27) North 53 degrees, 42 minutes, 38 seconds West, 2.07 feet to a point, thence;
- 5 (28) North 35 degrees, 19 minutes, 14 seconds East, 31.69 feet to a point, thence;
- 6 (29) North 54 degrees, 45 minutes, 19 seconds West, 2.47 feet to a point, thence;
- 7 (30) North 35 degrees, 48 minutes, 20 seconds East, 40.90 feet to a point along the existing back
8 of curb, thence, parallel with same the next two courses and distances;
- 9 (31) By an arc curving to the left having a radius of 52.00 feet, an arc distance of 25.11 feet
10 (CHD=North 50 degrees, 07 minutes, 28 seconds East, 24.87 feet) to a point of tangency,
11 thence;
- 12 (32) North 35 degrees, 55 minutes, 26 seconds East, 12.54 feet to a point on the aforesaid side
13 of Brandywine Boulevard, thence, with same;
- 14 (33) South 54 degrees, 04 minutes, 34 seconds East, 337.87 feet to the Point of Beginning.

15 Containing within said metes and bounds 3.2197 acres of land, be they the same, more or less.

16 Such description of the ECC Parcel shall remain binding and effective unless ECC and Brandywine
17 School District agree in writing to modify such description on or before September 30, 2010.

18 This conveyance shall be "as is" in that ECC shall accept any buildings erected on the parcel in
19 their present condition as of the time of conveyance, and shall be subject to all other covenants, conditions,
20 restrictions and easements of record, this reference to which shall not be construed to reimpose the same.

21 The Brandywine School District and ECC shall also negotiate in good faith to agree on mutually acceptable
22 easements and agreements to address issues including cross access, maintenance, and shared use of
23 property. Such easements or agreements shall guarantee to ECC continued water and sewer access at costs
24 pro rated to ECC's usage of such water and sewer services, and shall guarantee ECC use of and access to
25 any telephone, security alarm or other such ECC systems that remain on the Duncan Road Parcel but that
26 are not conveyed with the ECC Parcel.

27 All agencies reviewing the Minor Land Development Plan for the expansion of administrative
28 offices at the Duncan Road Parcel (New Castle County Application No. 2010-0235) shall review the plans
29 as the property existed prior to the subdivision of the property as directed herein. In addition, the Delaware
30 Department of Transportation shall grant a time extension of a maximum of twelve (12) months from the

1 time of the issuance of a Certificate of Occupancy for the expansion of the administrative offices by New
2 Castle County to complete the pedestrian improvements required by the Delaware Department of
3 Transportation within the public right-of-way for Duncan Road and Brandywine Boulevard.

4 Nothing in the subdivision of the Duncan Road Parcel shall prohibit the Brandywine School
5 District from expending funds approved under C.N. # 0631 F on the ECC Parcel that are required to
6 complete the relocation of its district office. ECC shall not be required to pay for any improvements to the
7 Duncan Road Parcel, including the ECC Parcel, as a result of or relating to Brandywine School District's
8 plans for the relocation of its district office.

9 (b) The General Assembly hereby determines that it is in the public interest to reclaim a portion of
10 the 26.25 acre parcel of land at 3301 Green Street, Claymont, DE 19703 (New Castle County tax parcel ID
11 number 06-071.00-106) held by the Brandywine School District in order for the State of Delaware to
12 convey to the Brandywine Community Resource Council, Inc. (BCRC), a not for profit corporation of the
13 State of Delaware that operates the Claymont Community Center, a portion of said parcel (the CCC Parcel).
14 The General Assembly also hereby determines that it is in the public interest to reclaim the 0.38 acre parcel,
15 also at 3301 Green Street, Claymont, DE 19703 (New Castle County tax parcel ID number 06-084.00-009)
16 (the Second CCC Parcel), in order for the State of Delaware to convey such parcel to BCRC. BCRC
17 provides vital services to the citizens of Delaware and occupies the CCC Parcel and the Second CCC Parcel
18 exclusively. The General Assembly recognizes that as a titled owner of the CCC Parcel and the Second
19 CCC Parcel, BCRC will be better able to serve the citizens of Delaware and be better positioned to receive
20 grants, including facilities improvement grants.

21 Brandywine School District is hereby authorized and directed to convey the CCC Parcel and the
22 Second CCC Parcel to BCRC for the combined consideration of one dollar (\$1.00). The deed to the
23 aforesaid real property shall contain a provision whereby the Brandywine School District shall have the
24 right of first refusal to the property in the event that the BCRC wishes to vacate the property. If the BCRC
25 vacates the property and the Brandywine School District does not exercise its right of first refusal, proceeds
26 from the sale of said property shall be governed by the provisions 14 Del. C. § 1057(a)(15).

1 These conveyances shall be "as is" in that BCRC shall accept any buildings erected on the parcels
2 in their present condition as of the time of conveyance, and shall be subject to all other covenants,
3 conditions, restrictions and easements of record, this reference to which shall not be construed to reimpose
4 the same. The Brandywine School District and BCRC shall also negotiate in good faith to agree on
5 mutually acceptable easements and agreements to address issues including cross access, maintenance, and
6 shared use of property that BCRC and Brandywine School District deem necessary or appropriate.

7 **Section 143. Claymont Community Center.** In connection with the transfer of property directed
8 pursuant to 77 Del. Laws, c. 329, § 135(b) the Brandywine Community Resource Council Inc. (BCRC)
9 shall be liable for the payment of survey(s) and/or related transaction costs necessary to determine whether
10 any portion of the land that was conveyed pursuant to the above authority are portions of land originally
11 acquired by the Delaware Department of Transportation (DOT) for right-of-way purposes for the
12 construction of Interstate 95. To the extent any survey confirms that any portion of such lands are, in fact,
13 owned by the DOT, and notwithstanding any provisions of 17 Del. C. § 137 to the contrary, the DOT, after
14 receiving any and all necessary approvals from the federal government or any agent thereof for transfer of
15 such land, is further authorized to execute any and all necessary deeds to convey said portions of land to the
16 BCRC and/or the Brandywine School District on the same terms and conditions as the Brandywine School
17 District's related conveyance to the BCRC pursuant to the above authority.

18 **Section 144. Milford Transfer of Major Capital Construction Funds.** In accordance with the
19 provisions of 77 Del. Laws, c. 223 § 1, Tthe Milford School District, with the approval of ~~the Secretary of~~
20 ~~Education,~~ the Director of the Office of Management and Budget and the Controller General, is authorized
21 to transfer ~~non-obligated~~ funds between any major capital improvement funds from the Central Academy
22 Project (Certificate of Necessity #0818C-D) for the construction of an animal science facility and land
23 ~~sciences laboratory on the Kent County Campus to be used by Central Academy and Milford High School~~
24 ~~students~~ certificates of necessity that were part of the referendum approved on February 15, 2007.

25 **Section 145. Christina School District Transfer.** The Christina School District, with the
26 approval of the Secretary of Education, Director of the Office of Management and Budget, and the

1 Controller General, is authorized to transfer non-obligated major capital improvement funds from the
2 William A. Oberle Elementary School Project (Certificate of Necessity #s CN 0333S FY 2003 & CN
3 09333A FY 2009) for District-wide capital improvements considered necessary for the safety and welfare
4 of students. The funds would be used for, but not be limited to, the replacement or repair of existing
5 bleachers and grandstands in the District's athletic facilities as well as addressing associated accessibility
6 issues. Residual funds, if any, would be utilized for upgrades to in the District's three High Schools and
7 other urgent capital improvements.

8 **Section 146. Appoquinimink School District – Silver Lake Elementary School (ES) Roof.** The
9 Section 1 Addendum to this Act appropriates \$929,600 for the Appoquinimink School District Silver Lake
10 Roof MCI project. Pursuant to 29 Del. C. §7528(b) and (e), the local share of said project shall be
11 \$619,700. In order to facilitate the completion of the roof renovation by the start of 2013-2014 school year,
12 given the safety issues affecting various classrooms at Silver Lake Elementary School, the Appoquinimink
13 School District is retroactively authorized during Fiscal Year 2013 to use local balances in Appropriation
14 91214 (Match - Extra Time), Appropriation 91210 (Match -Tech), Appropriation 91150 (MCI-Local) and
15 Appropriation 98000 (Operations – Local) for the Silver Lake Roof MCI project and said funds shall
16 constitute the local match as required by this Section. The Appoquinimink School District shall reimburse,
17 in full, the local balances used from said appropriations from the local contribution levied for the Silver
18 Lake Roof MCI project no later than June 30, 2014 (district wants 2015). The district shall provide the
19 Secretary of the Department of Education, the Controller General, and the Director of Office of
20 Management and Budget notification of the reimbursement by the end of Fiscal Year 2014.

21 **Section 147. Cape Henlopen School District – Sussex Consortium.** Notwithstanding the
22 provisions of any other state law, the Sussex Consortium currently housed in the Fred Thomas Building will
23 be relocated into the Lewes School during Fiscal Year 2014 to accommodate space needs. District offices
24 and Osher Lifelong Learning classes will relocate from the Lewes School to the Fred Thomas Building. All
25 necessary renovations to the Lewes School to facilitate the relocation will be funded locally. The Lewes

1 School will not be considered a 100% State funded school, for the purpose of major capital projects, until
2 Fiscal Year 2019.

3 **Section 148. Smyrna School District Transfer.** The Smyrna School District, with the approval
4 of the Secretary of Education, Director of the Office of Management and Budget and the Controller
5 General, is authorized to transfer non-obligated major capital improvement funds from the new Clayton
6 Intermediate School project (Certificate of Necessity # - CN 0824A-B) for district-wide capital
7 improvements considered necessary for the safety and welfare of students. The funds would be used for
8 repairs to the roofing systems at Smyrna Elementary School, John Bassett Intermediate School and the
9 Thomas D. Clayton Building.

10 **Section 149. Laurel School District Transfer.** The Laurel School District, with the approval of
11 the Secretary of Education, Director of the Office of Management and Budget and the Controller General, is
12 authorized to transfer non-obligated major capital improvement funds from the 1,400 student High
13 School/Middle School Combined Facility project (Certificate of Necessity # - CN 1216 A-B) for district-
14 wide capital improvements considered necessary for the safety and welfare of students. The funds would be
15 used for improvement to and/or construction of the High School/Middle School athletic facilities.

16 **Section 150. Bond Verification.** All bonds issued, or herein before or herein authorized to be
17 issued, by the State are hereby determined to be within all debt and authorization limits of the State.

18 **Section 151. Inconsistency.** Insofar as the provisions of this Act are inconsistent with the
19 provisions of any general, special, or local laws, or parts thereof, the provisions of this Act shall be
20 controlling.

21 **Section 152. Severability.** If any section, part, phrase, or provision of this Act or the application
22 thereof be held invalid by any court of competent jurisdiction, such judgment shall be confined in its
23 operation to the section, part, phrase, provision, or application directly involved in the controversy in
24 which such judgment shall have been rendered and shall not affect or impair the validity of the remainder
25 of this Act or the application thereof.

1 **Section 153. Effective Date.** This Act shall take effect in accordance with the provisions of State
2 law.

SYNOPSIS

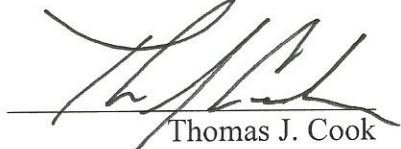
This Bill is the Fiscal Year 2014 Bond and Capital Improvements Act.

Author: Joint Legislative Committee on the Capital Improvement Program

DEBT LIMIT STATEMENT FOR FISCAL YEAR 2014

This Debt Limit Statement is to be attached to the Fiscal Year 2014 Bond and Capital Improvement Act as required by 29 Del. C. §7422.

(1) Estimated Net General Fund revenue for the Fiscal year ending June 30, 2014 as per the joint resolution of the House and Senate which will be signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year.	\$ <u>3,740.5 million</u>
(2) Multiply by 5%.	X .05
(3) Maximum aggregate principal amount of tax-supported obligations which may be authorized by the State in the fiscal year ending June 30, 2014.	\$ 187.025 million
(4) Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit.	\$ <u>0 million</u>
(5) AVAILABLE DEBT LIMIT prior to appended legislation (Line 3 minus Line 4).	\$ 187.025 million
(6) Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation.	\$ <u>0 million</u>
(7) REMAINING DEBT LIMIT (Line 5 minus Line 6).	\$ <u><u>187.025 million</u></u>


Thomas J. Cook
June 25, 2013

**Delaware Department of Transportation
FY2014 Capital Transportation Program**

**Appendix A
(in \$000's)**

	APPR	Other Funding	Federal Authorization	State Authorization	FY 2014 Authorization
ROAD SYSTEM 7700					
A. Expressways					
Cavaliers Mitigation	97701		\$1,280.0	\$320.0	\$1,600.0
SR 1 Tybouts Corner to SR 273	97701		\$5,800.0	\$1,200.0	\$7,000.0
I-295 Improvements	97701			\$1,900.0	\$1,900.0
Interstate Maintenance	97701		\$2,000.0	\$150.0	\$2,150.0
US 301 Maryland State Line to SR 1	97701		\$10,986.5		\$10,986.5
Subtotal Expressways		\$0.0	\$20,066.5	\$3,570.0	\$23,636.5
B. Arterials					
SR 2, South Union Street from Railroad Bridge to Sycamore Street, Wilmington	97701		\$4,500.0		\$4,500.0
SR 4, Christina Parkway from SR 2, Elkton Road to SR 896, South College Avenue	97701		\$160.0	\$40.0	\$200.0
SR 1, South Frederica Grade Separated Intersection	97701		\$10,000.0		\$10,000.0
US 13, Seaford Intersection Improvements	97701		\$7,200.0		\$7,200.0
SR 1, Rehoboth Canal to North of Five Points, Pedestrian Improvements	97701		\$8,350.0		\$8,350.0
SR 26, Atlantic Avenue from Clarksville to Assawoman Canal	97701		\$11,000.0		\$11,000.0
HSIP Projects	97701		\$26,538.2	\$128.0	\$26,666.2
Subtotal Arterials		\$0.0	\$67,748.2	\$168.0	\$67,916.2
C. Collectors					
SR 72, McCoy Road to SR 71	97701		\$1,000.0	\$50.0	\$1,050.0
West Dover Connector	97701		\$17,000.0		\$17,000.0
Subtotal Collectors		\$0.0	\$18,000.0	\$50.0	\$18,050.0
D. Locals					
Christina River Bridge and Approaches	97701		\$10,000.0	\$7,380.0	\$17,380.0
Riverfront Initiatives Development	97701			\$631.6	\$631.6
Riverfront Rail Relocation and Parking improvements	97701			\$3,400.0	\$3,400.0
Recreational Trails	97701	\$270.0	\$1,080.0		\$1,350.0
Subtotal Locals		\$270.0	\$11,080.0	\$11,411.6	\$22,761.6
E. Bridges					
Bridge Management Program	97701		\$4,600.0	\$350.0	\$4,950.0
Bridge Preservation Program	97701		\$7,847.2	\$1,044.1	\$8,891.3
Subtotal Bridges		\$0.0	\$12,447.2	\$1,394.1	\$13,841.3
F. Other					
Transportation Enhancements	97701		\$3,212.4	\$278.1	\$3,490.5
Pavement and Rehabilitation	97701		\$27,800.0	\$57,449.2	\$85,249.2
Materials & Minor Contracts	97701			\$6,430.0	\$6,430.0
Signage and Pavement Markings	97701		\$1,000.0	\$2,172.0	\$3,172.0
Rail Crossing Safety	97701		\$1,303.2	\$380.0	\$1,683.2
Safety Improvement Program	97701		\$2,722.2	\$244.4	\$2,966.6
Traffic Calming	97701			\$150.0	\$150.0
Bicycle, Pedestrian and other Improvements	97701		\$1,250.0	\$250.0	\$1,500.0
Intersection Improvements	97701	\$600.0	\$1,000.0	\$3,228.0	\$4,828.0
Safe Routes to School	97701		\$891.0		\$891.0
Scenic Byways	97701		\$52.7	\$13.2	\$65.9
Engineering & Contingency	97701		\$18.0	\$27,349.9	\$27,367.9
Subtotal Other		\$600.0	\$39,249.5	\$97,944.8	\$137,794.3
TOTAL ROAD SYSTEM		\$870.0	\$168,591.4	\$114,538.5	\$283,999.9
SUPPORT SYSTEM 7600					
Planning	97601		\$5,054.6	\$3,828.8	\$8,883.4
Information Technology	97601		\$125.0	\$25,452.0	\$25,577.0
Heavy Equipment	97601			\$6,449.0	\$6,449.0
Transportation Management Improvements	97601	\$90.0	\$5,360.0	\$30.0	\$5,480.0
Transportation Facilities	97601			\$7,700.0	\$7,700.0
Aeronautics	97601		\$160.0	\$297.8	\$457.8
Engineering & Contingency	97601		\$200.0		\$200.0
TOTAL SUPPORT SYSTEM		\$90.0	\$10,899.6	\$43,757.6	\$54,747.2
TRANSIT SYSTEM 7300					
Transit Facilities	97301		\$1,937.3	\$1,194.3	\$3,131.6
Transit Vehicles	97301	\$2,099.4	\$19,648.3	\$4,138.6	\$25,886.3
Rail Preservation	97301		\$960.0	\$11,390.0	\$12,350.0
TOTAL TRANSIT SYSTEM		\$2,099.4	\$22,545.6	\$16,722.9	\$41,367.9
GRANTS AND ALLOCATIONS 5600					
Municipal Street Aid	95601			\$5,000.0	\$5,000.0
Community Transportation Fund	95601			\$16,750.0	\$16,750.0
TOTAL GRANTS AND ALLOCATIONS		\$0.0	\$0.0	\$21,750.0	\$21,750.0
SUB TOTAL		\$3,059.4	\$202,036.6	\$196,769.0	\$401,865.0
GRAND TOTAL		\$3,059.4	\$202,036.6	\$196,769.0	\$401,865.0

Appendix B
FY2014 Pave and Rehab Locations

Route	Road Name	BMP	EMP	Length	Begin Description	End Description
Rehabilitation Locations						
1-00004	CONCORD AVE	0.00	0.78	0.78	RD 24, MARKET ST, US 13	BROOM STREET
1-00005	BEAR CORBITT RD	0.84	3.17	2.33	OLD.S.DUPONT HWY	JOINT BY PIGEON RUN
1-00009	12TH ST	8.23	9.21	0.98	RD 50 NORTHEAST BLVD	END OF ROAD @ CHERRY ISLAND LANDFILL
1-00011	ELKTON RD	0.00	1.05	1.05	MD LINE	RT 4
1-00018	CHRISTIANA-OGLETOWN ROAD	4.86	6.59	1.73	HARMONY RD	RUTHAR DRIVE
1-00018A	MAIN ST	0.16	0.52	0.36	BROWNS LANE	WEST OF OLD BALTIMORE PIKE (RD 336) INTERSECTION
1-00018A	MAIN ST	0.42	0.87	0.45	SOUTH EAST OF OLD BALTIMORE PIKE (RD 336) INTERSECTION	RD 1/00003 (CHRISTIANA ROAD)
1-00023	MARSH RD	2.94	4.18	1.24	SILVERSIDE	CHESTNUT LANE
1-00030	PADDOCK RD	0.00	1.97	1.97	RD 00001 (DUPONT PARKWAY)	RD 45, TAYLORS BRIDGE RD
1-00033	DUPONT PARKWAY NB & SB	3.86	5.59	1.73	JT NEAR CENTRAL AVE	JT AT ROGERS RD
1-00033	DUPONT PKWY	5.65	7.19	1.54	RAMP 621-3	RD 1/133090 (CENTRAL AVENUE)
1-00036	DEXTER CORNER RD	2.50	4.49	1.99	RD 00459 (GREARS CORNER ROAD)	RD 1/00036A (COMMERCE ST)
1-00048	PORTER RD	0.00	4.21	4.21	RD 356 DE 72	RD 26 OLD BALTIMORE PIKE
1-00055	FERRY CUT-OFF	0.29	1.63	1.34	QUIGLEY BLVD	RR TRACKS @ 8TH STREET
1-00061	MEMORIAL DRIVE	0.94	1.88	0.94	SR 9	US 13
1-00065	RUTHAR DRIVE	0.00	1.09	1.09	RD 00352 (RED MILL ROAD)	RD 1/00355 (HARMONY RD)
1-00067	KOREAN WAR VETERANS MEM. HWY.	6.48	12.38	5.90	RD 00336 (CHRISTIANA/STANTON ROAD)	END OF ROUTE 1/BEGINNING OF US 13
1-00090	FIRST STATE BOULEVARD	0.00	0.76	0.76	RD 00336 (NEWPORT STANTON PIKE)	CUL-DE-SAC
1-00220	EDGEMOOR RD	0.23	1.07	0.84	Governor Printz Blvd	PCC-HM Joint North of Philadelphia Pike
1-00275	OLD WILMINGTON RD	2.62	3.83	1.21	YORKLYN RD	RD 1/00253 (MCGOVERN ROAD)
1-00309	CLEVELAND AVE	0.10	1.01	0.91	RD 00313 (NEW LONDON ROAD)	HM JOINT BEFORE KIRKWOOD HWY (RD11)
1-00314	POSSUM PARK RD	0.08	0.63	0.55	JT NORTH OF KIRKWOOD HWY	ST REGIS DRIVE
1-00320	PIKE CREEK CENTER RD	0.00	0.70	0.70	RD 00321 (NEW LINDEN HILL ROAD)	RD 1/00031 (LIMESTONE RD)
1-00334	BOXWOOD/MIDDLEBORO ROAD	0.10	2.03	1.93	CENTERVILLE RD	Intersection Left side [MECO CIRCLE (PRIVATE)]
1-00340	AIRPORT RD	0.00	0.90	0.90	RT 273/RD 00003 (HARES CORNER-CHRISTIANA ROAD)	RD 1/135833 (PRESTWICK DRIVE)
1-00341	COMMONS BLVD NB & SB	0.00	1.16	1.16	RT 141/BASIN RD	RD 1/00340 (AIRPORT RD)
1-00346	WALTHER RD	0.00	1.89	1.89	RT 40	OLD BALTIMORE PIKE
1-00355	HARMONY RD	0.00	2.17	2.17	RD 00018 (CHRISTIANA-OGLETOWN ROAD)	RD 11 KIRKWOOD HWY
1-00356	WRANGLE HILL RD	0.40	2.59	2.19	RD 407 MCCOY RD	WHITE BIRCH BLVD
1-00356C	S. CHAPEL ST	0.00	0.38	0.38	RD 00356 (LIBRARY AVENUE)	END OF FORWARD DIRECTION
1-00356D	S. CHAPEL ST	0.00	0.62	0.62	DEAD END @ RR TRACKS	RD 1/00011 (DELAWARE AVE)
1-00366	ROUTE 4	0.00	1.42	1.42	ELKTON RD	S.COLLEGE AVE
1-00366A	OLD CHESTNUT HILL RD	0.00	0.30	0.30	CUL-DE-SAC IS BEHIND	END OF FORWARD DIRECTION
1-00387	SOUTH COLLEGE AVE	6.50	7.61	1.11	HMJ @ MARVIN DR (NORTH OF RD 366)	PCC-HM JOINT SOUTH OF I-95/RT 896
1-00427	CEDAR LANE RD	1.05	1.52	0.47	BRIDGE AT SPRING MILL BRANCH	MARL PIT RD (RD429)
1-00442	SILVER LAKE RD	0.00	1.11	1.11	RD 00038 (NOXONTOWN ROAD)	ROUTE 299
1-00504	WEST 18TH ST	0.00	0.97	0.97	RD 24 PHILADELPHIA PIKE	RD 49 AUGUSTINE CUT OFF
1-00505	JACKSON ST	0.97	1.56	0.59	RD 006164 (RD 59 SB, I-95)	WEST 5TH ST
2-00008	RT 113 NB (ramp over RT1 in Milford)	1.76	1.95	0.19	ramp over RT1 in Milford	
2-00020	NORTH WALNUT ST	0.99	1.37	0.38	RD 2/00021 (NORTH REHOBOTH BLVD)	RD 2/00406 (NORTHWEST ELEVENTH ST)
2-00021	NORTH REHOBOTH BLVD	0.00	0.94	0.94	Beginning of the Road Yes	RD 2/00020 (NORTH WALNUT ST)
2-00029	CAMDEN-WYOMING AVE	0.03	1.27	1.24	RAILROAD AVE	RD 2/00024 (SOUTH DUPONT HWY)
2-00036	MILFORD-HARRINGTON HWY	5.10	7.42	2.32	sandbox rd	RD 2/00022 (NORTHWEST FRONT ST)
2-00066	N. E. KINGS HIGHWAY	0.00	0.39	0.39	DE 8, DIVISION ST	RD 2/00007 (BAY RD)
2-00067	Court St	0.29	0.74	0.45	LEGISLATIVE AVE	US 13
2-00073	HAZLETTVILLE RD	5.55	6.58	1.03	Mifflin Rd	SURFACE TYPE CHANGED FROM 7101 to 6301
2-00192	WEBBS LA	0.86	1.39	0.53	US13 DUPONT HEY	RD 2/00027 (SOUTH STATE ST)
2-00294	SCARBOROUGH ROAD	0.41	1.12	0.71	Bridge-0 [- CONCRETE]	RD 2/00294A (CRAWFORD CARROLL AVENUE)
3-00003	SUSSEX HWY SB	4.1	5.09	0.99	JOINT SOUTH OF ROUTE 404	JOINT SOUTH OF RD 3-000046 ELKS RD
3-00003	SUSSEX HWY	0.00	1.39	1.39	RD 3/00020 (CONCORD RD)	RD 3/00534 (THARP RD)
3-00003	SUSSEX HWY	5.09	6.79	1.70	RD 3/00018 (BOWDENS GARAGE RD)	RD 3/00534 (THARP RD)
3-00003	SUSSEX HWY	7.86	8.20	0.34	Other [RIVERSIDE DR]	RD 3/00020 (CONCORD RD)
3-00005	N.MAIN ST.(BRIDGEVILLE)	0.00	1.16	1.16	RD 3/00006 (SEASHORE HWY)	End of Roadways End of Forward Direction

**Appendix B
FY2014 Pave and Rehab Locations**

3-00013	BRIDGEVILLE HWY	15.07	16.55	1.48	RD 00534 (HERRING RUN ROAD)	DOLBY RD
3-00014E	ARGOS CORNER RD	0.00	1.14	1.14	RD 00014 (COASTAL HIGHWAY)	RD 217 BRICK GRANERY LANE
3-00015	REHOBOTH AVE	0.00	0.66	0.66	RD 00014 (COASTAL HIGHWAY)	RD 3/43022 (GROVE STREET)
3-00018	LEWES-GEORGETOWN HWY	19.46	19.60	0.14	CIRCLE	S RAILROAD RD
3-00020A	CHURCH RD	0.00	0.67	0.67	RD 00020 (CONCORD ROAD)	RD 3/00020 (CONCORD RD)
3-00026	MAIN ST	12.07	12.18	0.11	RD 334/MAIN STREET	CANAL STREET
3-00054	OMAR ROAD	2.47	3.13	0.66	RD 00382 (PYLE CENTER ROAD)	RD 3/00353 (BURBAGE RD)
3-00058	CHURCH ST/FENWICK RD	0.75	3.4	2.65	RD 45009 (CHURCH STREET)	RD 382 RT 20
3-00076	COLUMBIA ROAD	5.49	9.37	3.88	RD 00513 (DELMAR ROAD)	RD 3/00024 SHARPTOWN RD
3-00095	SECOND ST (MILFORD)	0.00	0.84	0.84	RD 00213 (SOUTH WALNUT STREET)	RD 3/00014 (COASTAL HWY)
3-00113	DUPONT BLVD	40.32	40.84	0.52	RD 3/300720 (MAHONIA ROAD)	RD 3/00623 (WEST HUDSON POND RD)
3-00113A	MCCOLLEYS CHAPEL ROAD	0	0.95	0.95	RD 00113 (DUPONT BOULEVARD)	RD 3/00040 REDDEN RD
3-00244	WILSON RD	1.88	2.83	0.95	RD 00246 (SAVANNAH ROAD)	RD 3/00319 (SAND HILL RD)
3-00249	SHINGLE POINT RD	4.46	5.35	0.89	HARBENSON RD	FIREHOUSE
3-00268	KINGS HWY	1.45	2.30	0.85	RD 00023 (THEODORE C FREEMAN MEMOR. HIGHWAY)	RD 3/30029 FRANKLIN AVENUE
3-00277	ROBINVILLE RD	1.27	3.33	2.06	RD 24	RD 3/00277B (WEBBS LANDING RD)
3-00277	ROBINVILLE RD	4.27	6.65	2.38	RD 00287 (KENDALE ROAD)	RD 275
3-00334	MAIN ST	0	2.22	2.22	RD 00026 (CLAYTON STREET)	RD 3/00083 MITCHELL ST
3-00357	CENTRAL AVE	0	0.77	0.77	DE 26	JOINT WEST OF FRED HUDSON RD
3-00404	SEASHORE HIGHWAY	0	1.4	1.40	RD 00017 (MARKET STREET)	RD 3/00582 (NEWTON ROAD)
3-00535	MIDDLEFORD RD	0.94	2.18	1.24	RD 00003 (SUSSEX HIGHWAY)	A STREET
3-00536	WOODLAND RD	3.45	4.3	0.85	RD 44063 (PENNSYLVANIA AVENUE)	RD 93 SHIPLEY
3-00589	FIRST ST	0.26	0.79	0.53	RD 23013 (GREEN STREET)	RD 3/00589A (GREENWOOD RD)
3-00647	GOVERNORS AVE	0.00	0.46	0.46	CHURCH STREET	RT 13

Thin Overlay Locations

2-00035	CARPENTER BRIDGE RD	3.07	4.75	1.68	RD 388, DE 15	RD 384
2-00094	UNDERWOODS CORNER RD	3.3	7.03	3.73	RD 41, DE 300	RD 44, DE 42
2-00384	KILLENS POND RD	7.2	8.9	1.70	RD 386	RD 35

Microsurfacing Locations

1-00053	THOMPSON STATION RD	0.71	1.28	0.57	Thompson Station Rd	Pleasant Hill Rd
1-00355E	Old Harmony Rd	0.00	0.18	0.18	Green Ridge	cul de sac
1-00358B	Stanton Ogletown Rd	0.00	0.30	0.30	Olgetown Stanton Rd	Dead end
1-00367	Welsh Tract Rd	0.00	1.90	1.90	Otts Chapel Rd	RT 896
1-00431	Old School House Rd	0.00	1.90	1.90	Choptank Rd	Summit Bridge Rd

Conversion Locations

3-00257	DIAMOND FARM RD	0.00	1.4	1.40	S22 (HARBESON RD)	S88 (CAVE NECK RD)
3-00286	HOPKINS RD	0.53	1.58	1.05	HOT MIX JOINT	S262 (FISHER RD)
3-00288A	DORMAN RD	0.00	1.42	1.42	S24 (JOHN J WILLIAMS HWY)	S280B (CONLEYS CHAPEL RD)
3-00290	HURDLE DITCH RD	0.00	0.50	0.50	S48 (HOLLYVILLE RD)	S47 (JOHNSON RD)
3-00315	DEEP BRANCH RD	0.00	3.3	3.30	S48 (ZOAR RD)	S47 (SPRINGFIELD RD)
3-00326	BETTS POND RD	1.05	1.51	0.46	S20 (THOMPSONVILLE RD)	S328 (BARK POND RD)
3-00326	BETHESDA RD	2.93	3.32	0.39	600' S. OF S86 (AVE. OF HONOR	S329 (RICH RD) ABANDONED
3-00340	TOWNSENDS RD	0.00	1.71	1.71	S355 (MURRAY RD)	S26 (VINES CREEK RD)
3-00392	GUM RD	0.00	3.06	3.06	S376 (PEPPER RD)	S52 (ROXANNA RD)
3-00421	CAREYS CAMP RD	7.19	7.4	0.21	S24 (MILLSBORO HWY)	S410 (REVEL RD)
3-00488	AIRPORT RD	1.98	2.89	0.91	S2 (SUSSEX HWY)	S481 (BRICKYARD RD) / PRICE IS TO 485
3-00488	AIRPORT RD	3.15	4.60	1.45	S485 (BETHEL-CONCORD RD)	S479 (FIRETOWER RD)
3-00565	DEER FOREST RD	7.17	9.45	2.28	S579 (STATE FOREST RD)	S113 (DUPONT BLVD)
3-00572	ATLANTA RD	0.00	2.05	2.05	S31 (DUBLIN HILL RD)	MARYLAND LINE

Appendix C
FY2014 Tar and Chip Locations

Route	Road Name	BMP	EMP	Length	Begin Description	End Description
1-00459	GREARS CORNER RD	3.76	4.57	0.81	GREEN GIANT RD	LEVELS RD
1-00458	GREEN GIANT RD	0.00	4.35	4.35	MARYLAND LINE RD	RT 71
1-00461	MARYLAND LINE RD	0.00	1.83	1.83	VANDYKE GREEN SPRING RD	LEVELS RD
1-00474	VANDYKE MARYLAND LINE RD	0.00	1.29	1.29	STATE LINE	VANDYKE GREEN SPRING RD
1-00475	MCKAYS CORNERS RD	0.00	1.10	1.10	STATE LINE	SAWMILL RD
1-00476	SAWMILL RD	0.00	3.84	3.84	STATE LINE	VANDYKE GREEN SPRING RD
1-00462	EBENEZER CHURCH RD	0.00	1.20	1.20	VANDYKE GREEN SPRING RD	BLCKBIRD STATION RD
1-00473	LLYOD'S GUESSFORD RD	0.00	1.13	1.13	BLACKBIRD STATION RD	VANDYKE GREENSPRING RD
1-00481	BLACK STALLION RD	0.00	1.12	1.12	OAK HILL SCHOOL RD	CLAYTON DELANEY
1-00477	MORRIS RD	0.00	0.58	0.58	SAWMILL RD	HARVEY STRAUGHN RD
1-00479	OAK HILL SCHOOL RD	0.00	2.87	2.87	HARVEY STRAUGHN RD	BLACKBIRD FOREST RD
1-00472	OLIVER GUESSFORD RD	0.00	1.29	1.29	DEXTER CORNER RD	BLCKBIRD FOREST RD
2-00018A	NORTH FLACK AVE	0.00	0.33	0.33	RD 18B, MAIN ST	RIVER/STREAM CROSSING - ST. JONES RIVER
2-00018C	WHITWELLS DELIGHT RD	0.00	0.46	0.46	RD 18	END OF FORWARD DIRECTION
2-00112	BURRSVILLE RD	0.00	4.45	4.45	RD 63, DE 16	END OF FORWARD DIRECTION
2-00112A	WILHELM RD	0.00	0.03	0.03	STATE LINE - MARYLAND LINE	RD 112
2-00113	CATTAIL BRANCH RD / HOG RANGE RD	0.00	5.85	5.85	RD 63, DE 16	RD 60, DE 14
2-00113A	HOG RANGE RD	0.00	0.08	0.08	RD 113	END OF FORWARD DIRECTION
2-00115	TOMAHAWK BRANCH RD	0.00	1.58	1.58	RD 114	RD 309
2-00118	COON DEN RD/WOODYARD RD	0.00	1.84	1.84	COMMENT - RD 628 BEHIND	RD 117
2-00131	BLACKISTON CHURCH RD	0.00	2.09	2.09	RD 94	RD 39, DE 6
2-00132	SUDLERS ROW	0.00	1.72	1.72	RD 131	RD 44, DE 42
2-00139	BRYN ZION RD	0.00	2.38	2.38	RD 91	RD 94
2-00164	BLUE HERON RD	0.00	0.65	0.65	RD 100	RD 101
2-00212	PONY TRACK RD	0.00	1.45	1.45	RD 53, DE 10	RD 207
2-00229	MUMFIELD LA	0.00	0.20	0.20	COMMENT - PETERSBURG WILDLIFE AREA IS BEHIND RD	RD 230
2-00259	MEREDITH RD	0.00	0.86	0.86	RD 258	RD 260
2-00267	COURTLAND DILL RD	0.00	0.90	0.90	RD 268	RD 266
2-00269	PLUMMER LA	0.00	0.58	0.58	STATE LINE - MARYLAND	RD 268
2-00292	BULLOCK RD	0.00	1.72	1.72	RD 111	RD 59
2-00299	HEMPING RD	0.00	1.97	1.97	RD 455	RD 60, DE 14
2-00302	SAULSBURY CREEK RD	0.00	0.99	0.99	STATE LINE - MARYLAND STATE LINE	RD 113
2-00303	HIGH STUMP RD	0.00	2.68	2.68	RD 112	RD 305
2-00307	GALLO RD	0.00	1.56	1.56	RD 113	RD 304
2-00308	WHEATFIELD RD / FISHERS BRIDGE RD	0.00	2.75	2.75	COUNTY CHANGE - SUSSEX COUNTY LINE	RD 113
2-00310	BOOTH BRANCH LA	0.00	1.00	1.00	RD 62	RD 61
2-00312	FLATIRON RD	1.44	3.54	2.10	RD 311	RD 60, DE 14
2-00312A	TRIANGLE RD	0.00	0.12	0.12	RD 312	RD 60, DE 14
2-00313	GINGERWOOD DR	0.00	1.28	1.28	RD 61	RD 311
2-00323	HAWKEY BRANCH RD	0.00	1.00	1.00	RD 9, DE 6	RD 11, DE 9
2-00324	SEVERSON NECK RD	0.00	1.02	1.02	RD 83	RD 9, DE 6
2-00383	ROBBINS RD	0.00	0.88	0.88	RD 34, DE 12	RD 380
2-00387	ROESVILLE RD	0.00	2.06	2.06	RD 386	RD 35
2-00398	SANDBOX RD	0.00	3.60	3.60	RD 36, DE 14	RD 384
3-00024A	BOAT RAMP RD	0.00	0.11	0.11	RD 3/00024 (SHARPTOWN RD)	End of Roadways End of Forward Direction

Appendix C
FY2014 Tar and Chip Locations

3-00422A	LITTLE HILL RD	0.00	1.40	1.40	RD 3/00062 (WHALEYS RD)	RD 3/00024 (LAUREL RD)
3-00429	PEANUT TINGLE RD	0.00	1.42	1.42	RD 3/00064 (WHITESVILLE RD)	RD 3/00422 (LITTLE HILL RD)
3-00437A	ADAMS RD	0.00	1.02	1.02	RD 3/00024 (LAUREL RD)	RD 3/00062 (E. TRAP POND RD)
3-00448	ROSS POINT RD	0.00	1.98	1.98	RD 3/00062 (E. TRAP POND RD)	RD 3/00434 (SCOTT LAND RD)
3-00449A	JESTICE FARM RD	0.00	1.09	1.09	RD 3/00024 (LAUREL RD)	RD 3/00447 (JOHNSON RD)
3-00450	GOOSE NEST RD	0.00	1.46	1.46	RD 3/00449 (TRAP POND RD)	RD 3/00024 (LAUREL RD)
3-00460	HORSEY RD	0.00	0.06	0.06	RD 3/00013 (BISTATE BLVD)	End of Roadways End of Forward Direction
3-00466	WALLER RD	4.15	5.12	0.97	RD 3/00475 (SYCAMORE RD)	RD 3/00446 (BEAVER DAM BRANCH RD)
3-00472	PHILLIPS HILL RD	0.00	4.42	4.42	RD 3/00062 (E. TRAP POND RD)	RD 3/00431 (CONAWAY RD)
3-00473	JOSEPHS RD	0.00	1.68	1.68	RD 3/00020 (CONCORD RD)	RD 3/00020 (HARDSCRABBLE RD)
3-00476	SYCAMORE RD	2.15	2.75	0.60	RD 3/00062 (E. TRAP POND RD)	End of Roadways End of Forward Direction
3-00479A	COOL BRANCH RD	0.00	0.60	0.60	RD 3/00474 (KAYE RD)	RD 3/00479 (FIRE TOWER RD)
3-00480	MT. ZION RD	0.00	2.25	2.25	RD 3/00013 (SEAFORD RD)	RD 479
3-00480	MT. ZION RD	2.25	2.39	0.14	RD 479	RD 3/00479 (FIRE TOWER RD)
3-00489	DILLARDS RD	0.83	2.09	1.26	RD 3/00480 (WALLER RD)	RD 3/00488 (AIRPORT RD)
3-00492	PORTSVILLE ROAD	0.00	2.66	2.66	RD 3/00493 (SHELL BRIDGE RD)	Unknown
3-00497	BUCK SWAMP RD	0.00	1.87	1.87	RD 3/00515 (BACONS RD)	RD 3/00494 (AIRPORT RD)
3-00498A	WILLIAMS RD	0.00	0.89	0.89	RD 3/00498 (ELLIS GROVE RD)	RD 3/00494 (OLD SHARPTOWN RD)
3-00502	OLD RACETRACK RD	0.00	0.98	0.98	RD 3/00512 (WEST LINE RD)	RD 3/00076 (DELMAR ROAD)
3-00511	JACKSON RD	0.00	0.89	0.89	RD 3/00510 (HORSEY CHURCH RD)	RD 3/00501 (SAINT GEORGE RD)
3-00515	BACONS RD	0.00	2.03	2.03	RD 3/00509 (SUSAN BEACH RD)	Unknown
3-00516	CONCORD POND RD	1.79	3.21	1.42	RD 3/00046 (OLD FURNACE RD)	RD 3/00527 (GRAVELLY BRANCH RD)
3-00522	PIGLET PATH	0.00	1.37	1.37	RD 3/00527 (GRAVELLY BRANCH RD)	RD 3/00018 (SEASHORE HWY)
3-00527	GRAVELLY BRANCH RD	1.70	4.86	3.16	RD 3/00018 (SEASHORE HWY)	RD 3/00579 (STATE FOREST ROAD)
3-00540	BOWMAN RD	0.00	1.95	1.95	RD 3/00077 (MATTS RD)	RD 3/00079 (WOODLAND CHURCH RD)
3-00541	LONESOME RD	0.00	1.27	1.27	RD 3/00536 (WOODLAND RD)	RD 80
3-00553	NEALS SCHOOL RD	0.00	4.89	4.89	RD 3/00021 (STEIN HWY)	End of Roadways End of Forward Direction
3-00556	FIGGS RD	0.00	1.50	1.50	RD 3/00536 (WOODLAND RD)	RD 3/00021 (STEIN HWY)
3-00560	BUCKS BRANCH RD	0.00	2.09	2.09	RD 3/00030 (ATLANTA RD)	RD 3/00018 (FEDERALSBURG RD)
3-00565	DEEP FOREST RD	7.17	9.45	2.28	RD 3/00579 (WEST ROBBINS RD)	RD 3/00113 (DUPONT BLVD)
3-00567	MCDOWELL RD	0.00	1.78	1.78	Beginning of the Road Yes	RD 3/00030 (ATLANTA RD)
3-00574	WHITNEY SWAMP RD	0.00	2.01	2.01	RD 3/00031 (DUBLIN HILL RD)	RD 3/00569 (SAND HILL RD)
3-00578	SHIRLEY'S RD	0.00	2.24	2.24	RD 3/00569 (WOODEN HAWK RD)	RD 3/00034 (BLANCHARD RD)
3-00579	WEST ROBBINS RD	3.27	3.70	0.43	Other [A. FOREST RD]	Intersection Left side [A. FOREST RD]
3-00580	TULL RD	0.00	1.58	1.58	RD 3/00404 (SEASHORE HIGHWAY)	RD 3/00569 (WOODEN HAWK RD)
3-00581	FARM LA	0.00	0.99	0.99	RD 3/00016 (HICKMAN RD)	RD 3/00034 (BLANCHARD RD)
3-00586	WHEATFIELD RD	0.00	0.40	0.40	RD 3/00034B (NINE FOOT RD)	End of Roadways End of Forward Direction
3-00591	APPLE TREE RD	0.00	2.68	2.68	RD 3/00042 (CHAPLINS CHAPEL RD)	RD 3/00565 (SUNNYSIDE RD)
3-00606	SAMMONS RD	0.00	1.51	1.51	RD 3/00579 (WEST ROBBINS RD)	RD 3/00595 (BEAVER DAM RD)
3-00608	ELLENDALE FOREST RD	0.00	0.88	0.88	RD 3/00595 (BEAVER DAM RD)	RD 3/00607 (VFW RD)
3-00609	SMITH HAVEN RD	0.00	0.88	0.88	RD 3/00042 (SOUTH UNION CHURCH RD)	RD 3/00595 (BEAVER DAM RD)