



SPONSOR: Rep. Gilligan Sen. DeLuca
 Schwartzkopf Blevins
 Longhurst Henry
 Keeley Venables

HOUSE OF REPRESENTATIVES

146th GENERAL ASSEMBLY

HOUSE BILL NO. 260

JANUARY 26, 2012

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2013; 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; APPROPRIATING GENERAL FUNDS AND BOND PREMIUMS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING THE LAWS OF DELAWARE.

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 Capital Improvements Project Schedule Addendum. The General
2 Assembly hereby authorizes the following projects in the following amounts for the purposes set forth in this
3 Section and as described in the Fiscal Year ~~2012~~2013 Governor's Recommended Capital Budget and Project
4 Information document. Any authorization balance (excluding Transportation Trust Fund balances) remaining
5 unexpended or unencumbered by June 30, ~~2014~~2015, shall be subject to reversion or reauthorization.

SECTION 1 ADDENDUM
FISCAL YEAR 2013 CAPITAL IMPROVEMENT PROJECT SCHEDULE

| AGENCY/PROJECT | INTERNAL PROGRAM UNIT | BOND AUTHOR- IZATIONS | REAUTHORIZA- TION AND REPRO- GRAMMING | TRANS. TRUST FUNDS | GENERAL FUNDS | TOTAL |
|---|-----------------------------|-----------------------------|--|-----------------------|------------------|--------------|
| OFFICE OF MANAGEMENT AND BUDGET | | | | | | |
| Minor Capital Improvement and Equipment | 10-02-50 | \$ 2,949,450 | - | - | - | \$ 2,949,450 |
| Environmental Compliance (UST/Asbestos/Other) | 10-02-50 | - | - | - | 340,300 | 340,300 |
| Architectural Barrier Removal | 10-02-50 | - | - | - | 150,000 | 150,000 |
| New Troop 3 - Camden | 10-02-50 | 6,594,600 | - | - | - | 6,594,600 |
| Townsend Building Mechanical Repair and Renovation Project | 10-02-50 | 3,344,000 | - | - | - | 3,344,000 |
| New Troop 7 - Lewes | 10-02-50 | 1,600,000 | - | - | - | 1,600,000 |
| Local Law Enforcement | 10-02-11 | - | - | - | 333,000 | 333,000 |
| <i>Judicial Project</i> | | | | | | |
| Minor Capital Improvement and Equipment | 10-02-50 | 350,000 | - | - | - | 350,000 |
| <i>State Projects</i> | | | | | | |
| Minor Capital Improvement and Equipment | 10-02-50 | 425,000 | - | - | - | 425,000 |
| Minor Capital Improvement and Equipment - Veterans Home | 10-02-50 | - | - | - | 50,050 | 50,050 |
| <i>Health and Social Services Projects</i> | | | | | | |
| Minor Capital Improvement and Equipment | 10-02-50 | 2,300,000 | - | - | - | 2,300,000 |
| Roof Replacement | 10-02-50 | 750,000 | - | - | - | 750,000 |
| DACSES Replacement and Equipment | 10-02-05 | - | 4,418,500 | - | - | 4,418,500 |
| Medicaid Management Information System | 10-02-05 | - | 2,965,500 | - | - | 2,965,500 |
| <i>Services for Children, Youth and Their Families Projects</i> | | | | | | |
| Family and Children Tracking System (FACTS) II | 10-02-05 | - | 4,700,000 | - | - | 4,700,000 |
| Minor Capital Improvement and Equipment | 10-02-50 | 883,400 | - | - | - | 883,400 |
| <i>Correction Projects</i> | | | | | | |
| Minor Capital Improvement and Equipment | 10-02-50 | 2,183,250 | - | - | - | 2,183,250 |
| HRYCI New Kitchen - Construction | 10-02-50 | 4,598,000 | 5,252,000 | - | - | 9,850,000 |
| <i>Safety and Homeland Security Project</i> | | | | | | |
| Minor Capital Improvement and Equipment | 10-02-50 | 400,000 | - | - | - | 400,000 |

SECTION 1 ADDENDUM
FISCAL YEAR 2013 CAPITAL IMPROVEMENT PROJECT SCHEDULE

| AGENCY/PROJECT | INTERNAL PROGRAM UNIT | BOND AUTHOR- IZATIONS | REAUTHORIZA- TION AND REPRO- GRAMMING | TRANS. TRUST FUNDS | GENERAL FUNDS | TOTAL |
|---|-----------------------------|-----------------------------|--|-----------------------|------------------|---------------|
| <i>Delaware National Guard Project</i> | | | | | | |
| Minor Capital Improvement and Equipment | 10-02-50 | 850,000 | - | - | - | 850,000 |
| Subtotal: | | \$ 27,227,700 | \$ 17,336,000 | \$ - | \$ 873,350 | \$ 45,437,050 |
| DELAWARE ECONOMIC DEVELOPMENT OFFICE | | | | | | |
| Delaware Strategic Fund | 10-03-03 | - | - | - | 30,032,102 | 30,032,102 |
| Experimental Program to Stimulate Competitive Research (EPSCOR) | 10-03-03 | - | - | - | 1,000,000 | 1,000,000 |
| IDeA Network of Biomedical Research Excellence (INBRE)/U of D | 10-03-03 | - | - | - | 1,000,000 | 1,000,000 |
| Fraunhofer Vaccine Development | 10-03-03 | - | - | - | 1,000,000 | 1,000,000 |
| Riverfront Development Corporation | 10-03-03 | 2,350,000 | - | - | - | 2,350,000 |
| Subtotal: | | \$ 2,350,000 | \$ - | \$ - | \$ 33,032,102 | \$ 35,382,102 |
| DELAWARE STATE HOUSING AUTHORITY | | | | | | |
| Housing Development Fund - Affordable Rental Housing Program | 10-08-01 | \$ 4,000,000 | - | - | - | 4,000,000 |
| Subtotal: | | \$ 4,000,000 | \$ - | \$ - | - | 4,000,000 |
| STATE | | | | | | |
| Museum Maintenance | 20-06-01 | \$ 350,000 | - | - | - | 350,000 |
| Wilmington Institute Public Library | 20-08-01 | 1,500,000 | - | - | - | 1,500,000 |
| Lewes Public Library | 20-08-01 | 250,000 | - | - | - | 250,000 |
| Duck Creek Regional Library - Smyrna | 20-08-01 | 150,000 | - | - | - | 150,000 |
| Delmar Public Library | 20-08-01 | 325,000 | - | - | - | 325,000 |
| Frankford Public Library | 20-08-01 | 320,000 | - | - | - | 320,000 |
| Route 9/13 Community Library | 20-08-01 | 25,000 | - | - | - | 25,000 |
| Subtotal: | | \$ 2,920,000 | \$ - | \$ - | - | 2,920,000 |
| HEALTH AND SOCIAL SERVICES | | | | | | |
| Maintenance and Restoration | 35-01-30 | \$ 2,750,000 | - | - | - | 2,750,000 |
| Subtotal: | | \$ 2,750,000 | \$ - | \$ - | - | 2,750,000 |
| 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 2013 CAPITAL IMPROVEMENT PROJECT SCHEDULE

| AGENCY/PROJECT | INTERNAL PROGRAM UNIT | BOND AUTHOR- IZATIONS | REAUTHORIZA- TION AND REPRO- GRAMMING | TRANS. 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 | | | | | | |
| Clean Water State Revolving Fund | 40-01-06 | \$ 1,300,000 | \$ - | \$ - | \$ - | \$ 1,300,000 |
| Conservation Cost Share | 40-03-04 | 1,500,000 | - | - | - | 1,500,000 |
| Delaware Bayshore Initiative | 40-01-01 | - | - | - | 250,000 | 250,000 |
| Statewide Trails and Pathways | 40-03-02 | 3,000,000 | - | - | - | 3,000,000 |
| Critical Equipment for Operations | 40-01-01 | 740,000 | - | - | - | 740,000 |
| Tax Ditches | 40-03-04 | 1,148,700 | - | - | - | 1,148,700 |
| Redevelopment of Strategic Sites | 40-03-02 | 2,000,000 | - | - | 50,000 | 2,050,000 |
| Subtotal: | | \$ 9,688,700 | \$ - | \$ - | 300,000 | \$ 9,988,700 |
| SAFETY AND HOMELAND SECURITY | | | | | | |
| Twin Engine Helicopter Lease/Payment | 45-01-01 | \$ - | \$ - | \$ - | 1,646,948 | \$ 1,646,948 |
| Subtotal: | | \$ - | \$ - | \$ - | 1,646,948 | \$ 1,646,948 |
| TRANSPORTATION | | | | | | |
| Road System | 55-05-00 | \$ - | \$ - | 164,490,345 | \$ - | \$ 164,490,345 |
| Grants and Allocations | 55-05-00 | - | - | 12,375,000 | - | 12,375,000 |
| Transit System | 55-05-00 | - | - | 14,935,508 | - | 14,935,508 |
| Support System | 55-05-00 | - | - | 21,283,050 | - | 21,283,050 |
| Subtotal: | | \$ - | \$ - | 213,083,903 | \$ - | \$ 213,083,903 |
| FIRE PREVENTION COMMISSION | | | | | | |
| Hydraulic Rescue Tools Replacement | 75-02-01 | \$ - | \$ - | \$ - | 37,500 | \$ 37,500 |
| Subtotal: | | \$ - | \$ - | \$ - | 37,500 | \$ 37,500 |
| NATIONAL GUARD | | | | | | |
| New Dagsboro Readiness Center | 76-01-01 | \$ 2,500,000 | \$ - | \$ - | \$ - | \$ 2,500,000 |
| Subtotal: | | \$ 2,500,000 | \$ - | \$ - | \$ - | \$ 2,500,000 |

SECTION 1 ADDENDUM
FISCAL YEAR 2013 CAPITAL IMPROVEMENT PROJECT SCHEDULE

| AGENCY/PROJECT | INTERNAL PROGRAM UNIT | BOND AUTHOR- IZATIONS | REAUTHORIZA- TION AND REPRO- GRAMMING | TRANS. TRUST FUNDS | GENERAL FUNDS | TOTAL |
|---|-----------------------------|-----------------------------|--|-----------------------|------------------|--------------|
| UNIVERSITY OF DELAWARE | | | | | | |
| Laboratories | 90-01-01 | \$ 3,000,000 | \$ - | \$ - | \$ - | \$ 3,000,000 |
| Subtotal: | | \$ 3,000,000 | \$ - | \$ - | \$ - | \$ 3,000,000 |
| DELAWARE STATE UNIVERSITY | | | | | | |
| Minor Capital Improvement and Equipment | 90-03-01 | \$ 3,000,000 | \$ - | \$ - | \$ - | \$ 3,000,000 |
| Subtotal: | | \$ 3,000,000 | \$ - | \$ - | \$ - | \$ 3,000,000 |
| DELAWARE TECHNICAL AND COMMUNITY COLLEGE | | | | | | |
| Collegewide Asset Preservation/MCI | 90-04-01 | \$ 250,000 | \$ - | \$ - | \$ - | \$ 250,000 |
| Excellence Through Technology | 90-04-01 | 250,000 | - | - | - | 250,000 |
| Campus Improvements - Owens Campus | 90-04-02 | 750,000 | - | - | - | 750,000 |
| Campus Improvements - Terry Campus | 90-04-06 | 750,000 | - | - | - | 750,000 |
| Campus Improvements - Stanton and Wilmington Campuses | 90-04-05 | 1,000,000 | - | - | - | 1,000,000 |
| Subtotal: | | \$ 3,000,000 | \$ - | \$ - | \$ - | \$ 3,000,000 |

SECTION 1 ADDENDUM
FISCAL YEAR 2013 CAPITAL IMPROVEMENT PROJECT SCHEDULE

| AGENCY/PROJECT | INTERNAL PROGRAM UNIT | BOND AUTHOR- IZATIONS | REAUTHORIZA- TION AND REPRO- GRAMMING | TRANS. TRUST FUNDS | GENERAL FUNDS | TOTAL |
|--|-----------------------------|-----------------------------|--|-----------------------|----------------------|-----------------------|
| EDUCATION | | | | | | |
| Minor Capital Improvement and Equipment | 95-01-01 | \$ 7,343,800 | \$ - | \$ - | \$ - | \$ 7,343,800 |
| Architectural Barrier Removal | 95-01-01 | 160,000 | - | - | - | 160,000 |
| Capital, Construct New 1,800 Student HS (70/30) | 95-13-00 | 24,312,600 | - | - | - | 24,312,600 |
| 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 | 6,629,100 | - | - | - | 6,629,100 |
| Woodbridge, Construct 700 Student HS (72/28) | 95-35-00 | 15,131,400 | - | - | - | 15,131,400 |
| New Castle County VoTech, Renovate Howard HS (61/39) | 95-38-00 | 4,401,300 | - | - | - | 4,401,300 |
| 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 | 2,430,000 | - | - | - | 2,430,000 |
| Polytech, Renovation/Additions to HS (75/25) | 95-39-00 | 8,818,900 | - | - | - | 8,818,900 |
| Seaford, Seaford Senior HS Addition (75/25) | 95-23-00 | 16,405,000 | - | - | - | 16,405,000 |
| Polytech, Renovate HS Supplemental (75/25) | 95-39-00 | 391,900 | - | - | - | 391,900 |
| Red Clay, Renovate A.I. DuPont HS (60/40) | 95-32-00 | 1,318,700 | - | - | - | 1,318,700 |
| Red Clay, Renovate Cab Calloway School of the Arts (60/40) | 95-32-00 | 2,211,100 | - | - | - | 2,211,100 |
| Red Clay, Construct 600 Student ES (60/40) | 95-32-00 | 1,170,300 | - | - | - | 1,170,300 |
| Capital, Kent County Community School (100% State) | 95-13-00 | 1,998,300 | - | - | - | 1,998,300 |
| Subtotal: | | \$ 116,103,200 | \$ - | \$ - | \$ - | \$ 116,103,200 |
| TWENTY-FIRST CENTURY FUND | | | | | | |
| Drinking Water State Revolving Fund (DHSS) | 25-01-01 | \$ - | \$ - | \$ - | 1,853,600 | \$ 1,853,600 |
| Subtotal: | | \$ - | \$ - | \$ - | 1,853,600 | \$ 1,853,600 |
| GRAND TOTAL: | | \$ 179,875,000 | \$ 17,336,000 | \$ 213,083,903 | \$ 37,743,500 | \$ 448,038,403 |

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 \$171,145,000 and in the amount of
4 \$35,922,454 local share of school bonds. Bonds authorized to be used by this Section shall mature not later
5 than 20 years from their date of issuance. The proceeds of such bonds, except for local share of school
6 bonds, are hereby appropriated for a portion of the purposes set forth in the Section 1 Addendum of this Act
7 and summarized as follows:

| 8 Department, Agency, or Instrumentality | Amount |
|--|--------------|
| 9 Office of Management and Budget | \$52,425,800 |
| 10 Delaware Economic Development Office | 8,000,000 |
| 11 Delaware State Housing Authority | 4,000,000 |
| 12 State | 6,800,000 |
| 13 Services for Children, Youth and Their Families | 2,051,200 |
| 14 Natural Resources and Environmental Control | 7,250,000 |
| 15 Fire Prevention Commission | 1,300,000 |
| 16 National Guard | 271,000 |
| 17 University of Delaware | 3,500,000 |
| 18 Education | 85,547,000 |

| 19 _____ | Maximum | | |
|---|--------------|-------------|--------------|
| 20 Purpose | State Share | Local Share | Total Cost |
| 21 Appoquinimink, Construct 840 Pupil ES— 22 Odessa Campus (75/25) | \$10,932,600 | \$3,644,200 | \$14,576,800 |

| 23 _____ | Maximum | | |
|--|-------------|-------------|------------|
| 24 Purpose | State Share | Local Share | Total Cost |
| 25 Appoquinimink, Renovation/Addition to 26 Appoquinimink ECC Kitchen (75/25) | 232,500 | 77,500 | 310,000 |
| 27 Appoquinimink, Renovation/Addition to 28 Olive B. Loss ES (75/25) | 607,000 | 202,300 | 809,300 |

| | | | | |
|----|---|--------------|--------------|----------------------|
| 1 | Capital, Construct New 1,800 Student HS (70/30) | 27,813,700 | 11,920,200 | 39,733,900 |
| 2 | Capital, Renovate William Henry MS | | | |
| 3 | Campus Site (70/30) | 2,396,600 | 1,027,100 | 3,423,700 |
| 4 | Capital, Construct Playgrounds at | | | |
| 5 | BT Washington ES (70/30) | 195,900 | 83,900 | 279,800 |
| 6 | Capital, Construct/Renovate Athletic Fields at | | | |
| 7 | Central MS (70/30) | 149,200 | 63,900 | 213,100 |
| 8 | Seaford, Renovate Central ES, | | | |
| 9 | Roof Replacement (73/27) | 801,300 | 296,400 | 1,097,700 |
| 10 | Seaford, Renovate HS, ADA Accessibility | | | |
| 11 | Improvements (73/27) | 233,100 | 86,200 | 319,300 |
| 12 | Seaford, Renovate West ES, Roof Replacement (73/27) | 860,600 | 318,300 | 1,178,900 |
| 13 | Sussex Technical, Renovations to HS | | | |
| 14 | and Campus Site (60/40) | 1,147,500 | 765,000 | 1,912,500 |
| 15 | Laurel, Construct 1,400 Student | | | |
| 16 | Combined HS/MS (76/24) | 10,665,600 | 3,368,100 | 14,033,700 |
| 17 | Laurel, Land Acquisition 1,400 Student | | | |
| 18 | Combined HS/MS (76/24) | 304,000 | 96,000 | 400,000 |
| 19 | Woodbridge, Construct 700 Pupil HS (72/28) | 7,565,700 | 2,942,200 | 10,507,900 |
| 20 | Cape Henlopen, Roof/HVAC Renovate | | | |
| 21 | F. Thomas Bldg (100% State) | 650,000 | | 650,000 |
| 22 | New Castle County VoTech, | | | |
| 23 | Renovate Howard HS (61/39) | 8,802,700 | 5,628,000 | 14,430,700 |
| 24 | New Castle County VoTech, | | | |
| 25 | Fit-out St. Georges HS Auditorium (61/39) | 934,200 | 597,300 | 1,531,500 |
| 26 | Sussex Technical, HS Site Renovations— | | | |
| 27 | Bus Entrance (60/40) | 1,625,900 | 1,084,000 | 2,709,900 |
| 28 | Sussex Technical, HS HVAC Renovations (60/40) | 810,000 | 540,000 | 1,350,000 |
| 29 | Polytech, Renovation/Additions to HS (75/25) | 8,818,900 | 2,939,600 | 11,758,500 |
| 30 | Smyrna Extraordinary Site Work Clayton IS (80/20) | | 242,254 | 242,254 |
| 31 | Subtotal | \$85,547,000 | \$35,922,454 | \$121,469,454 |
| 32 | | | TOTAL | \$171,145,000 |

1 Authorization of Twenty-Year Bonds. The state hereby authorizes the issuance of bonds, to which the state
 2 shall pledge its full faith and credit, such bonds to be issued in such principal amount as necessary to
 3 provide proceeds to the state in the amount of \$179,875,000 and in the amount of \$42,604,700 local share
 4 of school bonds. Bonds authorized to be used by this Section shall mature not later than 20 years from their
 5 date of issuance. The proceeds of such bonds, except for local share of school bonds, are hereby
 6 appropriated for a portion of the purposes set forth in the Section 1 Addendum of this Act and summarized
 7 as follows:

| 8 <u>Department, Agency, or Instrumentality</u> | <u>Amount</u> |
|---|---------------------|
| 9 <u>Office of Management and Budget</u> | <u>\$27,227,700</u> |
| 10 <u>Delaware Economic Development Office</u> | <u>2,350,000</u> |
| 11 <u>Delaware State Housing Authority</u> | <u>4,000,000</u> |
| 12 <u>State</u> | <u>2,920,000</u> |
| 13 <u>Health and Social Services</u> | <u>2,750,000</u> |
| 14 <u>Services for Children, Youth and Their Families</u> | <u>200,000</u> |
| 15 <u>Correction</u> | <u>3,135,400</u> |
| 16 <u>Natural Resources and Environmental Control</u> | <u>9,688,700</u> |
| 17 <u>National Guard</u> | <u>2,500,000</u> |
| 18 <u>University of Delaware</u> | <u>3,000,000</u> |
| 19 <u>Delaware State University</u> | <u>3,000,000</u> |
| 20 <u>Delaware Technical and Community College</u> | <u>3,000,000</u> |
| 21 <u>Education</u> | <u>116,103,200</u> |

| 22 <u>Purpose</u> | <u>State Share</u> | <u>Maximum Local Share</u> | <u>Total Cost</u> |
|---|--------------------|--------------------------------|--------------------|
| 23 <u>Minor Capital Improvement and Equipment</u> | <u>\$7,343,800</u> | | <u>\$7,343,800</u> |
| 24 <u>Architectural Barrier Removal</u> | <u>160,000</u> | | <u>160,000</u> |
| 25 <u>Capital, Construct New 1,800 Student HS (70/30)</u> | <u>24,312,600</u> | <u>\$10,418,600</u> | <u>34,731,200</u> |

| | | | | |
|----|---|---------------|--------------|----------------------|
| 1 | <u>Laurel, Construct 1,400 Student</u> | | | |
| 2 | <u>Combined HS/MS (76/24)</u> | 21,331,300 | 6,736,200 | 28,067,500 |
| 3 | <u>Laurel, Construct 1,200 Student</u> | | | |
| 4 | <u>Combined ES (76/24)</u> | 6,629,100 | 2,093,400 | 8,722,500 |
| 5 | <u>Woodbridge, Construct 700 Student HS (72/28)</u> | 15,131,400 | 5,884,400 | 21,015,800 |
| 6 | <u>New Castle County VoTech,</u> | | | |
| 7 | <u>Renovate Howard HS (61/39)</u> | 4,401,300 | 2,813,900 | 7,215,200 |
| 8 | <u>Sussex Technical, Renovate HS Industrial Shops (60/40)</u> | 2,049,500 | 1,366,300 | 3,415,800 |
| 9 | <u>Sussex Technical, HS HVAC Renovations (60/40)</u> | 2,430,000 | 1,620,000 | 4,050,000 |
| 10 | <u>Polytech, Renovation/Additions to HS (75/25)</u> | 8,818,900 | 2,939,600 | 11,758,500 |
| 11 | <u>Seaford, Seaford Senior HS Addition (75/25)</u> | 16,405,000 | 5,468,300 | 21,873,300 |
| 12 | <u>Polytech, Renovate HS Supplemental (75/25)</u> | 391,900 | 130,700 | 522,600 |
| 13 | <u>Red Clay, Renovate A.I. DuPont HS (60/40)</u> | 1,318,700 | 879,100 | 2,197,800 |
| 14 | <u>Red Clay, Renovate Cab Calloway</u> | | | |
| 15 | <u>School for the Arts (60/40)</u> | 2,211,100 | 1,474,000 | 3,685,100 |
| 16 | <u>Red Clay, Construct 600 Student ES (60/40)</u> | 1,170,300 | 780,200 | 1,950,500 |
| 17 | <u>Capital, Kent County Community School (100% State)</u> | 1,998,300 | | 1,998,300 |
| 18 | <u>Subtotal</u> | \$116,103,200 | \$42,604,700 | \$158,707,900 |
| 19 | | | TOTAL | \$179,875,000 |

Section 3. ~~Appropriation of General Funds. It is the intent of the General Assembly that \$115,311,700 be appropriated to the following departments of the State and in the following amount for the purposes set forth in the Section 1 Addendum of this Act. Any funds remaining unexpended or unencumbered by June 30, 2014, shall revert to the General Fund of the State of Delaware.~~

| Department, Agency, or Instrumentality | Amount |
|--|--------------------------|
| Office of Management and Budget | \$27,619,600 |
| Delaware Economic Development Office | 41,841,100 |
| Delaware State Housing Authority | 2,115,600 |
| State | 375,000 |
| Finance | 12,000,000 |
| Health and Social Services | 7,600,500 |
| Services for Children, Youth and Their Families | 200,000 |
| Correction | 3,135,400 |
| Natural Resources and Environmental Control | 9,931,100 |
| Safety and Homeland Security | 2,195,900 |
| Fire Prevention Commission | 1,297,500 |
| Delaware State University | 3,500,000 |
| Delaware Technical and Community College | 3,500,000 |
| TOTAL | \$115,311,700 |

Appropriation of General Funds. It is the intent of the General Assembly that \$35,889,900 be appropriated to the following departments of the State and in the following amount for the purposes set forth in the Section 1 Addendum of this Act. Any funds remaining unexpended or unencumbered by June 30, 2015, shall revert to the General Fund of the State of Delaware.

| <u>Department, Agency, or Instrumentality</u> | <u>Amount</u> |
|---|-------------------|
| <u>Office of Management and Budget</u> | <u>\$873,350</u> |
| <u>Delaware Economic Development Office</u> | <u>33,032,102</u> |

| | | |
|---|--|----------------------------|
| 1 | <u>Natural Resources and Environmental Control</u> | <u>300,000</u> |
| 2 | <u>Safety and Homeland Security</u> | <u>1,646,948</u> |
| 3 | <u>Fire Prevention Commission</u> | <u>37,500</u> |
| 4 | TOTAL | <u>\$35,889,900</u> |

5 Section 4. General Funds to ~~21st~~ Twenty-First Century Funds. It is the intent of the General
6 Assembly ~~that~~ \$1,853,600 be appropriated from General Funds to the Office of the Secretary,
7 Department of Finance (25-01-01) to be deposited into the Twenty-First Century Fund as established by 29
8 Del. C. § 6102A. These funds shall be appropriated for the following purpose set forth in the Section 1
9 Addendum to this Act:

| 10 | Purpose | Amount |
|----|--|---------------------------|
| 11 | Drinking Water State Revolving Fund (DHSS) | \$1,853,600 |
| 12 | TOTAL | <u>\$1,853,600</u> |

13 Section 5. ~~Appropriation of Bond Premiums.~~ Notwithstanding the provisions of 29 Del. C. §
14 7414(a), ~~of the available premiums from bonds sold after January 1, 2009, \$12,025,222.34 shall be used in~~
15 ~~the following amount for the purpose listed below in order to fully fund the project:~~

| 16 | <u>Department, Agency, or Instrumentality</u> | <u>Amount</u> |
|----|---|-------------------------------|
| 17 | <u>Office of Management and Budget</u> | |
| 18 | <u>— Kent County Court Complex</u> | <u>\$12,025,222.34</u> |
| 19 | TOTAL | <u>\$12,025,222.34</u> |

20 Appropriation of Bond Premiums. Notwithstanding the provisions of 29 Del. C. § 7414(a), of the
21 available premiums from bonds sold after January 1, 2011, \$17,336,000 shall be used in the following
22 amount for the purposes listed below in order to fully fund the project:

| 23 | <u>Department, Agency, or Instrumentality</u> | <u>Amount</u> |
|----|---|--------------------|
| 24 | <u>Office of Management and Budget</u> | |
| 25 | <u>— DACSES Replacement and Equipment</u> | <u>\$4,418,500</u> |
| 26 | <u>— Medicaid Management Information System</u> | <u>2,965,500</u> |

| | | |
|---|---|---------------------|
| 1 | <u>Family and Children Tracking System (FACTS) II</u> | <u>4,700,000</u> |
| 2 | <u>HRYCI New Kitchen – Construction</u> | <u>5,252,000</u> |
| 3 | TOTAL | \$17,336,000 |

4 Section 6. ~~Transfers to the State Treasurer’s School Bond Reversion Account.~~

| 5 | <u>Project</u> | <u>Project Appropriation Code</u> | <u>Amount</u> |
|----|---|-----------------------------------|--------------------|
| 6 | <u>Renovate & Add Middletown HS</u> | <u>2009-95-29-00-50329</u> | <u>\$1,596.56</u> |
| 7 | <u>Market Pressure Construct ES</u> | <u>2006-95-31-00-50089</u> | <u>2,914.66</u> |
| 8 | <u>Renovate DuPont HS</u> | <u>2008-95-31-00-50141</u> | <u>23.20</u> |
| 9 | <u>Renovate P.S. DuPont HS</u> | <u>2007-95-31-00-50201</u> | <u>13,604.26</u> |
| 10 | <u>Renovate Wilmington Campus</u> | <u>2007-95-32-00-50153</u> | <u>1,536.05</u> |
| 11 | <u>Renovate Stanton MS</u> | <u>2006-95-32-00-50209</u> | <u>0.11</u> |
| 12 | <u>Wilson ES</u> | <u>2006-95-33-00-50217</u> | <u>1.86</u> |
| 13 | <u>Baynard ES</u> | <u>2008-95-33-00-50321</u> | <u>3.53</u> |
| 14 | | TOTAL | \$19,680.23 |

15 Transfers to the State Treasurer’s School Bond Reversion Account.

| 16 | <u>Project</u> | <u>Project Appropriation Code</u> | <u>Amount</u> |
|----|--------------------------------|-----------------------------------|-------------------|
| 17 | <u>Cont Early Ch-hood Ct</u> | <u>2008-95-29-00-50032</u> | <u>\$2,484.93</u> |
| 18 | <u>Dist Office Purch/Ren</u> | <u>2008-95-29-00-50050</u> | <u>7.90</u> |
| 19 | <u>Synth Turf. Athl Fields</u> | <u>2008-95-29-00-50246</u> | <u>42.99</u> |
| 20 | <u>Drew Pyle</u> | <u>2005-95-33-00-50178</u> | <u>34.71</u> |
| 21 | | TOTAL | \$2,570.53 |

22 Section 7. ~~Transfers to Local School District Debt Service Account. Notwithstanding the~~
23 ~~provisions of any other state law, the State Treasurer shall transfer, as funds become available, the sum of~~
24 ~~\$7,664.52 from the State Treasurer’s School Bond Reversion Account (1994-12-05-03-50229) to the~~
25 ~~following departments in the following amounts for purposes set forth in Section 1 Addendum to this Act:~~

| 26 | <u>Department, Agency, or Instrumentality</u> | <u>Amount</u> |
|----|---|---------------|
|----|---|---------------|

| | | |
|---|--|--------------------------|
| 1 | <u>Department of Education</u> | |
| 2 | (Appoquinimink School District Debt Service) | \$ 431.07 |
| 3 | (Brandywine School District Debt Service) | 6,616.84 |
| 4 | (Christina School District Debt Service) | 2.15 |
| 5 | (Red Clay School District Debt Service) | 614.46 |
| 6 | TOTAL | <u>\$7,664.52</u> |

7 Transfers to Local School District Debt Service Account. Notwithstanding the provisions of any other state
8 law, the State Treasurer shall transfer, as funds become available, the sum of \$647.84 from the State
9 Treasurer's School Bond Reversion Account (1994-12-05-03-50229) to the following departments in the
10 following amounts for purposes set forth in Section 1 Addendum to this Act:

| 11 | <u>Department, Agency, or Instrumentality</u> | <u>Amount</u> |
|----|---|------------------------|
| 12 | <u>Department of Education</u> | |
| 13 | (Appoquinimink School District Debt Service) | \$633.96 |
| 14 | (Christina School District Debt Service) | 13.88 |
| 15 | TOTAL | <u>\$647.84</u> |

16 Section 8. Continuing Appropriations. For the fiscal year ending June 30, ~~2011~~2012, any sums in
17 the following accounts shall remain as continuing appropriations and shall not be subject to a reversion until
18 June 30, ~~2012~~2013.

| 19 | <u>Fiscal Year</u> | <u>Appropriation</u> | <u>Remarks</u> |
|----|--------------------------------|---------------------------|-----------------------------------|
| 20 | 2009 | 10-02-05-10004 | Technology Fund |
| 21 | 2008/2009 | 10-02-05-50006 | 800 MHZ |
| 22 | 2007 | 10-02-06-50014 | Advanced Planning |
| 23 | 2009 | 10-02-50-10017 | MCI OMB |
| 24 | 2008/09 | 10-02-50-10031 | DOC MCI |
| 25 | 2006 | 10-02-50-10033 | Darley House |
| 26 | 2009 | 10-02-50-10039 | MCI/National Guard |
| 27 | 2009 | 10-02-50-10041 | Architectural Barrier |
| 28 | 2009 | 10-02-50-10048 | Psych Hosp Def Maint |
| 29 | 2009 | 10-02-50-10051 | Veterans Home |
| 30 | 2006 | 10-02-50-50027 | Capital Parking |
| 31 | 2006 | 10-02-50-50071 | Howard R. Young Center |
| 32 | 2005/09 <u>2010</u> | 10-02-50-50076 | Kent County Courthouse |

| | | | |
|----|--------------------|---------------------------|--|
| 1 | 2007 | 10-02-50-50241 | Stockley Medical Center |
| 2 | 2009 | 10-02-50-50289 | Cleve White Bldg |
| 3 | 2009 | 10-02-50-50306 | MCI OMB |
| 4 | 2009 | 10-02-50-50307 | MCI DHSS |
| 5 | 2009 | 10-02-50-50309 | Starc Headquarters |
| 6 | <u>2010</u> | <u>10-02-50-50350</u> | <u>MCI & Equipment</u> |
| 7 | 1999 | 10-03-03-10067 | Dover Civic Center |
| 8 | 2005 | 10-03-03-10068 | Delaware Civic Center |
| 9 | 2002 | 12-05-03-10090 | GF Cap Reprogramming |
| 10 | 1994 | 12-05-03-50015 | Agency Reversions |
| 11 | 1994 | 12-05-03-50229 | School Reversions |
| 12 | 2009 | 20-08-01-50052 | Dover Public Library |
| 13 | 2002 | 20-08-01-50065 | Harrington Library |
| 14 | 1996 | 20-08-01-50098 | North Wilmington Library |
| 15 | 2007 | 20-08-01-50100 | NCC Bear |
| 16 | 2007 | 20-08-01-50101 | NCC South |
| 17 | 2009 | 20-08-01-50102 | New Castle Public Library |
| 18 | 2007 | 25-01-01-10009 | ERP |
| 19 | 2008 | 25-01-01-50057 | ERP |
| 20 | 2009 | 35-01-30-10230 | MCI Equipment |
| 21 | 2007 | 35-10-01-10120 | DACSES IV |
| 22 | 2008/09 | 38-01-40-10118 | Maintenance and Restoration |
| 23 | 2007 | 40-01-01-10126 | Avian Flu |
| 24 | 2006 | 40-01-01-10127 | Energy Efficiency |
| 25 | 2005/08 | 40-01-06-10152 | Combined Sewer Overflow |
| 26 | 2007/08 | 40-03-02-10132 | Park Rehab |
| 27 | 2006 | 40-03-02-50237 | State Park Facilities |
| 28 | 2004/05 | 40-03-03-10129 | Dams/Water Control |
| 29 | 2006 | 40-03-04-10140 | Little Mill Creek |
| 30 | 2008 | 40-03-04-10141 | Retention Ponds |
| 31 | 2009 | 40-03-04-10142 | Buried Debris Pit Reme |
| 32 | 2008 | 40-03-04-10143 | Dam Planning |
| 33 | 2007 | 40-03-04-10147 | Lewes Facil. Improve |
| 34 | 2007 | 40-03-04-10153 | Red Clay Feasibility St |
| 35 | 2003 | 40-03-04-50224 | Resource Conserv & Dev |
| 36 | 2008 | 40-03-04-50275 | Beach Preservation |
| 37 | <u>2010</u> | <u>55-05-00-95401</u> | <u>FHWA</u> |
| 38 | <u>2010</u> | <u>55-05-00-95402</u> | <u>FTA</u> |
| 39 | <u>2010</u> | <u>55-05-00-95403</u> | <u>Federal-Other</u> |
| 40 | <u>2010</u> | <u>55-05-00-95601</u> | <u>Grants & Allocations</u> |
| 41 | <u>2010</u> | <u>55-05-00-97301</u> | <u>Transit System</u> |
| 42 | <u>2010</u> | <u>55-05-00-97601</u> | <u>Support System</u> |
| 43 | <u>2010</u> | <u>55-05-00-97701</u> | <u>Road System</u> |
| 44 | <u>2010</u> | <u>55-05-00-97801</u> | <u>GARVEE Fund</u> |
| 45 | <u>2011</u> | <u>70-01-01-10004</u> | <u>Technology</u> |
| 46 | <u>2009/10</u> | <u>90-01-01-50290</u> | <u>Alison Hall Ren</u> |
| 47 | 2009 | 90-03-01-10017 | MCI |
| 48 | 2009 | 90-03-01-50346 | Delaware State MCI |
| 49 | 2008/09 | 90-04-01-10211 | Asset Preservation |
| 50 | 2008 | 90-04-01-10212 | Excellence Thru Technology |
| 51 | 2006 | 90-04-04-50235 | Stanton Campus Expansion |
| 52 | 2007 | 90-04-05-50235 | Stanton Campus Expansion |
| 53 | 2009 | 90-04-06-10174 | Campus Improvement |
| 54 | 2002/09 | 95-01-01-10017 | MCI |

| | | | |
|----|-----------------------------|----------------|------------------------------------|
| 1 | <u>2008/10</u> | 95-10-00-50144 | Ren Reily Brown ES |
| 2 | 2009 | 95-10-00-50326 | Ren & Add McIlvane |
| 3 | 2009 | 95-13-00-10017 | MCI |
| 4 | 2009 | 95-13-00-10873 | MCI/Voc Ed |
| 5 | <u>2010</u> | 95-13-00-50022 | <u>MCI</u> |
| 6 | 2008 | 95-13-00-50080 | Land HS |
| 7 | <u>2010</u> | 95-13-00-50281 | <u>Central MS Gym</u> |
| 8 | <u>2010</u> | 95-13-00-50297 | <u>Construct 600 Ppls</u> |
| 9 | 2009 | 95-15-00-50072 | HS Performing Arts Ren |
| 10 | <u>2010</u> | 95-15-00-50119 | <u>Ren Chipman ES</u> |
| 11 | 2008 <u>2010</u> | 95-15-00-50135 | Ren Lake Forest HS |
| 12 | 2008 | 95-15-00-50146 | Renovate South ES |
| 13 | 2009 | 95-16-00-10176 | Tech Prep |
| 14 | 2009 | 95-17-00-10873 | MCI/Voc Ed |
| 15 | <u>2010</u> | 95-17-00-50022 | <u>MCI</u> |
| 16 | 2009 | 95-17-00-50036 | 1600 Pupil HS |
| 17 | 2008 | 95-17-00-50136 | Ren Lewes 9 th Grade AC |
| 18 | 2009 | 95-17-00-50244 | Sussex Consortium |
| 19 | 2008 | 95-18-00-50030 | Construct 1000 Pupil MS |
| 20 | 2008 | 95-18-00-50078 | Land & Site Costs for New ES |
| 21 | 2008 | 95-18-00-50079 | Land MS |
| 22 | <u>2010</u> | 95-18-00-50107 | <u>MCI/Voc Ed</u> |
| 23 | 2008 | 95-18-00-50122 | Morris ECC |
| 24 | 2008 | 95-18-00-50139 | Renovate Milford HS |
| 25 | <u>2009/10</u> | 95-18-00-50282 | Construct 720 Pupil HS |
| 26 | 2009 | 95-18-00-50287 | 1000 Pupil MS |
| 27 | <u>2010</u> | 95-18-00-50296 | <u>Construct Middle Acade</u> |
| 28 | 2009 | 95-18-00-50332 | Renovate Lulu Ross ES |
| 29 | 2008 | 95-24-00-10017 | MCI |
| 30 | 2008 | 95-24-00-50081 | Clayton IS |
| 31 | <u>2009/10</u> | 95-24-00-50113 | Renovate Smyrna HS |
| 32 | 2007 | 95-24-00-50263 | 600 Pupil ES |
| 33 | 2009 <u>2010</u> | 95-24-00-50297 | Construct 600 Pupil IS |
| 34 | 2008 | 95-29-00-50032 | Construct ECC |
| 35 | 2008 | 95-29-00-50033 | Construct MOT |
| 36 | 2007 | 95-29-00-50035 | Construct 1000 Pupil M |
| 37 | 2009 | 95-29-00-50041 | Construct 840 Pupil ES |
| 38 | <u>2010</u> | 95-29-00-50329 | <u>Ren & Add Middletown H</u> |
| 39 | <u>2010</u> | 95-29-00-50336 | <u>Renovate Cedar Lane ES</u> |
| 40 | 2007 | 95-31-00-10187 | Market Pressure Matching Fund |
| 41 | 2009 | 95-31-00-10873 | MCI/Voc Ed |
| 42 | <u>2010</u> | 95-31-00-50022 | <u>MCI</u> |
| 43 | 2008 | 95-31-00-50039 | Construct 600 Pupil ES |
| 44 | 2006 | 95-31-00-50090 | MP Ii 66.0 ES |
| 45 | <u>2010</u> | 95-31-00-50107 | <u>MCI/Voc Ed</u> |
| 46 | 2008 | 95-31-00-50127 | Renovate Hanby MS |
| 47 | <u>2008</u> | 95-31-00-50141 | <u>Ren P.S. Dupont ES</u> |
| 48 | 2008 | 95-31-00-50147 | Renovate Springer MS |
| 49 | 2007 | 95-31-00-50176 | Renovate District Offices |
| 50 | <u>2009/10</u> | 95-31-00-50284 | Construct 66000 Sq F |
| 51 | 2009 | 95-31-00-50327 | New Transportation Fac |
| 52 | <u>2010</u> | 95-31-00-50357 | <u>Demolish Bush School</u> |
| 53 | <u>2010</u> | 95-31-00-50358 | <u>Trans Fac (Local Only)</u> |
| 54 | <u>2010</u> | 95-32-00-50022 | <u>MCI</u> |

| | | | |
|----|-------------------|---------------------------|-----------------------------------|
| 1 | <u>2010</u> | 95-32-00-50107 | MCI/Vod Ed |
| 2 | <u>2010</u> | 95-33-00-50022 | MCI |
| 3 | 2006 | 95-33-00-50040 | 800 Pupil MS |
| 4 | 2006 | 95-33-00-50104 | New MS |
| 5 | 2005 | 95-33-00-50169 | Bancroft IS |
| 6 | 2005 | 95-33-00-50178 | Drew Pyle |
| 7 | 2008 | 95-33-00-50322 | Porter Road |
| 8 | <u>2009/10</u> | 95-33-00-50330 | Restart Porter Road ES |
| 9 | 2009 | 95-34-00-50063 | Gunning Bedford |
| 10 | <u>2010</u> | 95-34-00-50115 | <u>Ren & Rec New Castle M</u> |
| 11 | 2008 | 95-34-00-50124 | George Reed MS |
| 12 | 2009 | 95-34-00-50152 | Ren William Penn HS |
| 13 | 2008 | 95-34-00-50160 | McCullough ES |
| 14 | <u>2010</u> | 95-34-00-50349 | <u>Renovate Eisenberg Ele</u> |
| 15 | 2003 | 95-36-00-50062 | Frankford ES |
| 16 | 2004 | 95-36-00-50073 | Indian River HS |
| 17 | 2006 | 95-36-00-50123 | Frankford ES |
| 18 | 2006 | 95-36-00-50132 | Indian River HS |
| 19 | 2005 | 95-36-00-50183 | Renovate Frankford ES |
| 20 | 2007 | 95-36-00-50221 | Long Neck ES |
| 21 | 2007 | 95-36-00-50222 | Georgetown ES |
| 22 | 2007 | 95-36-00-50223 | Selbyville MS |
| 23 | <u>2010</u> | 95-37-00-50107 | <u>MCI/Voc Ed</u> |
| 24 | <u>2010</u> | 95-38-00-50107 | <u>MCI/Voc Ed</u> |
| 25 | <u>2010</u> | 95-38-00-50338 | <u>Renovate Howard HS</u> |
| 26 | <u>2010</u> | 95-39-00-50107 | <u>MCI/Voc Ed</u> |
| 27 | 2008 | 95-39-00-50117 | Renovation HS |
| 28 | 2009 | 95-39-00-50339 | Roof Replacement Caf W |
| 29 | <u>2010</u> | 95-40-00-50022 | <u>MCI</u> |
| 30 | <u>2010</u> | 95-40-00-50107 | <u>MCI/Voc Ed</u> |
| 31 | 2009 | 95-40-00-50255 | Water System Rep |
| 32 | <u>2007/08/10</u> | 95-51-00-50240 | Replace Sterck |
| 33 | 2009 | 95-51-00-50328 | Sterck School |
| 34 | 2009 | 95-53-00-10017 | MCI |
| 35 | <u>2010</u> | 95-53-00-50022 | <u>MCI</u> |
| 36 | <u>2010</u> | 95-53-00-50348 | <u>Renovate John G. Leach</u> |
| 37 | <u>2010</u> | 95-54-00-50022 | <u>MCI</u> |
| 38 | <u>2010</u> | 95-66-00-50022 | <u>MCI</u> |
| 39 | <u>2010</u> | 95-67-00-50022 | <u>MCI</u> |
| 40 | <u>2010</u> | 95-70-00-50022 | <u>MCI</u> |
| 41 | <u>2010</u> | 95-74-00-50022 | <u>MCI</u> |
| 42 | 2009 | 95-74-00-50323 | MCI Operations |
| 43 | <u>2010</u> | 95-79-00-50022 | <u>MCI</u> |
| 44 | <u>2010</u> | 95-82-00-50022 | <u>MCI</u> |

46 Section 9. Prefatory Language. This Act has been prepared in conformance with 78 Del. Laws, c.

47 90. For all sections with the exception of Section 1 Addendum, all comparisons to the previous year's

48 Budget Act are shown noting insertions by underlining and deletions by strike through.

1 Section 10. Abandoned Property. Notwithstanding the provisions of 29 Del. C. § 6102(s) for the
2 fiscal year ending June 30, 2013, the State shall transfer \$20,000,000 to the Transportation Trust Fund as
3 established by 2 Del. C. § 1404.

4 Section 11. Open Space Funding. Notwithstanding the provisions of 30 Del. C. § 5423(b)(2) and
5 § 5423(c)(1), on or before December 15, 2012, the State shall transfer \$2,000,000 of realty transfer taxes to
6 the Project Account in the Delaware Land and Water Conservation Trust Fund.

7 Section 12. Farmland Preservation Funding. Notwithstanding the provisions of 30 Del. C. § 5426
8 for the fiscal year ending June 30, 2013, the State shall transfer \$2,000,000 of realty transfer taxes to the
9 Farmland Preservation Fund maintained under 3 Del. C. § 905(a).

10 Section 13. Resource, Conservation and Development Transfers - Project Funds Transfer from
11 Prior Fiscal Years to Fiscal Year ~~2012~~2013. Within the same county, any Twenty-First Century Funds or
12 match remaining from completed projects as authorized as part of the Twenty-First Century Resource,
13 Conservation and Development (RCD) project list pursuant to prior appropriations may be utilized for
14 RCD projects in the Fiscal Year ~~2012~~2013 list of projects approved as part of the Fiscal Year ~~2012~~2013
15 Bond and Capital Improvements Act.

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

22 Section 15. Conservation Districts - Rollover of Funds. If projects are discontinued and have
23 Twenty-First Century funding associated with them, the associated Twenty-First Century funding would
24 remain within the County from which the project originated and would roll over as new Fiscal Year
25 ~~2012~~2013 funds for allocation among the remaining projects within that County.

1 Section 16. First State Preservation Revolving Fund, Inc. For Fiscal Year ~~2012~~2013, First State
2 Preservation Revolving Fund, Inc. may continue to expend for administrative expenses the interest
3 generated by the Community Redevelopment Fund appropriations of \$250,000 in each of Fiscal Years 1999
4 and 2000.

5 Section 17. Downtown Milford Inc. Any Community Redevelopment Fund appropriations to
6 Downtown Milford Inc.- Structural and Façade Improvements may be used for private businesses and
7 residences, as well as, institutional residences provided said properties are within the Downtown Milford
8 project area.

9 Section 18. Laurel Redevelopment Corporation. Any proceeds from the sale of property funded in
10 whole or in part from Community Redevelopment Fund grants to Laurel Redevelopment Corporation shall
11 be reinvested in redevelopment projects within the Town of Laurel.

12 Section 19. Community Redevelopment Fund Match. Notwithstanding the provisions of 29 Del.
13 C. ~~e.~~ § 6102A, any unexpended Community Redevelopment Funds awarded to the Hockessin
14 Community Center in fiscal years 2004 and 2005 shall not require a local match.

15 Section 20. Bond Bill Reporting Requirements. All state agencies and public school districts
16 receiving funds from the Bond and Capital Improvements Act shall submit a quarterly expenditure status
17 report to the Director of the Office of Management and Budget and Controller General on all incomplete
18 projects that are wholly or partially funded with state and/or local funds, including bond funds. The format
19 and information required in these quarterly reports shall include, but not be limited to, expenditures of both
20 bond and cash funds. The report format will be developed by the Office of Management and Budget and
21 include information as needed by the Department of Finance, Treasurer's Office and Office of Management
22 and Budget to anticipate cash and bond requirements for the upcoming fiscal year.

23 Section 21. Notification. The Director of the Office of Management and Budget and Controller
24 General shall notify affected state agencies and other instrumentalities of the State as to certain relevant
25 provisions of this Act. Additionally, the Director of the Office of Management and Budget and Controller

1 General shall notify the President Pro Tempore of the Senate and the Speaker of the House as to any
2 legislative appointments required by this Act.

3 Section 22. Bear Babe Ruth. Notwithstanding any provision or requirement of the public trust
4 doctrine or 10 Del. C. c. 82, and without the necessity of compliance therewith, New Castle County is
5 hereby authorized to transfer to Bear Babe Ruth all rights, title and interest in that certain tract, piece, parcel
6 or parcels of land known as Lot 3, Wrangle Hill Elementary School, containing 68.008 acres, more or less,
7 and having Tax Parcel No. 12-013.00-081, as were conveyed to New Castle County by deed of Premcor
8 Refining Group Inc. (Premcor) dated March 12, 2007, or by any subsequent deed or consent executed by a
9 successor or assign of Premcor, subject to the condition that such property be used by Bear Babe Ruth for
10 the sole purpose of establishing, operating and maintaining thereon a public park for open space, park or
11 outdoor recreational uses.

1 **OFFICE OF MANAGEMENT AND BUDGET**

2 Section 23. 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 24. 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 25. Judicial Construction Oversight. It is the intent of the General Assembly that a nine-
13 member Executive Committee be created to oversee construction of new or major renovation of judicial
14 facilities. The Executive Committee shall include two members of the Legislature appointed by the Co-
15 Chairs of the Joint Legislative Committee on the Capital Improvement Program; the respective Chairs of
16 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 23 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 26. Minor Capital Improvement and Equipment Supplement - Office of Management and
8 Budget. Notwithstanding the provisions of any other State law to the contrary, not more than five percent
9 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 27. 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 28. Belvedere State Service Center Project. Notwithstanding any State laws to the
22 contrary, funds received from tenants in the Belvedere State Service Center shall be used by the Office of
23 Management and Budget for the maintenance and operation of the center.

24 Section 29. Kent County Courthouse Appropriation. The Section 1 Addendum to ~~this Act in~~ 78
25 Del. Laws, c. 76 contains an appropriation of \$2,000,000 which shall be used solely for the renovation of
26 the ~~existing~~ old Kent County Courthouse.

1 Section 30. Sale of Surplus Property. Notwithstanding the provisions of any law to the contrary,
2 the Director of the Office of Management and Budget is authorized to solicit buyers, lessors or developers
3 and negotiate the sale, long or short-term lease, development or adaptation of the state-owned building and
4 parking lot, commonly known as the Bank of America Building and State Employee Workforce Education
5 and Training Center, located on the block bounded by French, 9th, 10th and Walnut Streets in Wilmington.
6 Net proceeds resulting from a sale, lease, development or reuse of the building and/or parking lot shall be
7 deposited to the General Fund. The Director of the Office of Management and Budget must receive
8 approval from the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program prior
9 to executing an agreement of sale, lease, development or use of the building or parking lot for other than
10 state agencies. The Director of the Office of Management and Budget is authorized to solicit buyers,
11 lessors, developers and others who may enable the sale, development, lease, or reuse of the property
12 directly, use public advertisement, auction, reverse auction, sealed bids, or issue requests for information
13 and requests for proposals. During Fiscal Year ~~2012~~2013, the Director of the Office of Management and
14 Budget may identify additional state-owned real property that, with the concurrence of the Co-Chairs of the
15 Joint Legislative Committee on the Capital Improvement Program and the Controller General, may be sold,
16 leased or developed pursuant to the provisions of this section.

17 Section 31. Card Access Security Systems. Notwithstanding the provisions of any law to the
18 contrary, the Office of Management and Budget, Department of Safety and Homeland Security, and the
19 Department of Technology and Information shall jointly develop and maintain specifications and standards
20 for card access security systems for all state facilities. Security system communications using state
21 infrastructure will observe enterprise standards and policies as defined by Department of Technology and
22 Information pursuant to 29 Del. C. c. 90. The specifications and standards shall enable a single-card
23 security solution for all state-owned facilities, require the ability for concurrent central and local
24 administration of card access functions, and shall include a registry of approved card readers and associated
25 hardware required to implement card access security systems. It is the intent of this section to authorize
26 Office of Management and Budget, Department of Safety and Homeland Security and Department of

1 Technology and Information to jointly select a single supplier, manufacturer or technology of access cards
2 and security management software for use by all state agencies. The Office of Management and Budget,
3 Department of Safety and Homeland Security and Department of Technology and Information shall
4 develop procedures and standards required for the evaluation and approval of agency requests for new or
5 modified security systems of any type. Before a state agency may install a new security system or modify
6 an existing system, the agency shall obtain the approval of the Office of Management and Budget,
7 Department of Safety and Homeland Security and Department of Technology and Information.

8 Section 32. Employing Delawareans Reporting Requirement. The Section 1 Addendum to ~~this Act~~
9 78 Del. Laws, c. 76 makes the following appropriations from “One-Time Special Funds;” \$10,000,000 to
10 the University of Delaware; \$10,000,000 to Delaware State University; \$10,000,000 to Delaware Technical
11 and Community College; \$10,000,000 to the Delaware State Housing Authority; \$55,000,000 to New Jobs
12 Infrastructure; and \$35,000,000 in Asset Preservation. Expenditure of said funds shall be subject to the
13 following provisions:

14 (a) Any public works or professional services contract (1) to which any agency, the University of
15 Delaware, Delaware State University, or Delaware Technical and Community College is a party; (2) for
16 which payment shall be funded in whole or in part by monies hereunder; and (3) for which the probable cost
17 is greater than the amount set by the Contracting and Purchasing Advisory Council pursuant to 29 Del. C.
18 § 6913.

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

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

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

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

1 **DELAWARE ECONOMIC DEVELOPMENT OFFICE**

2 Section 33. 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 34. 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 35. Transportation Property Disposition. The proceeds from the future sale of parcels of
14 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 36. 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 37. New Markets Tax Credit Program. In the event that the Director of DEDO ~~or the~~
22 ~~Director of the Delaware State Housing Authority~~ and the Secretary of Finance determine that it is
23 advisable to apply for participation in the New Markets Tax Credit Program under the U.S. Treasury
24 Department, the Director is authorized to form a business entity or organization to apply for and manage
25 this program on behalf of the State, as required by applicable federal legislation and regulations. Any such
26 application for said program shall be subject to the approval of the Co-Chairs of the Joint Legislative

1 Committee on the Capital Improvement Program and the Delaware State Clearinghouse Committee.
2 Should such application receive final approval by the U.S. Treasury Department or other federal
3 governmental entity charged with such authority, at least one public hearing shall be held for the purpose of
4 presenting the program, the availability of financial assistance and the selection process. ~~and the Director of~~
5 ~~the Delaware State Housing Authority shall notify, by certified and regular mail, any state senators and~~
6 ~~representatives in whose districts any development project may be located, upon the submission of a request~~
7 ~~for financing and a decision to provide financing for such development pursuant to the New Market Tax~~
8 ~~Credit Program. In addition, the Housing Director shall so notify the Chief Executive Office of any local~~
9 ~~government in whose jurisdiction any development will be located.~~

10 Section 38. Fraunhofer Vaccine Development. The Section 1 Addendum to this Act appropriates
11 \$1,000,000 for Fraunhofer Vaccine Development. It is the intent of the General Assembly and the
12 Administration that said funds represent the ~~first~~second year of a six-year commitment by the State of
13 Delaware to leverage a 2:1 matching grant of ~~\$18,000,000~~12,000,000 from Fraunhofer USA.

14 Section 39. Emerging Technology Center. Notwithstanding any other law to the contrary, funds
15 appropriated to DEDO for the Emerging Technology Center, pursuant to 74 Del. Laws, c. 308 § 36(c),
16 shall be expended by DEDO for the purpose of operating the Delaware Emerging Technology Center
17 (ETC). Operating expenses may include, but are not limited to ETC software licensing agreements; ~~patent~~
18 ~~maintenance fees~~; Delaware sponsored ETC investor forums, businesses plan competitions and
19 conferences, marketing campaigns; and Intellectual Property Business Creation program implementation
20 initiatives.

21 Section 40. Riverfront Development Corporation. (a) Funds appropriated for the Riverfront
22 Development Corporation of Delaware (RDC) shall be disbursed to a special fund to be known as the
23 Riverfront Development Corporation Fund hereinafter referred to as the Fund.

24 (b) The Fund shall be invested by the State Treasurer in securities consistent with the policies
25 established by the Cash Management Policy Board. All monies generated by the Fund shall be deposited
26 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 41. 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 to
9 pay administrative fees associated with the LIFT and DRIP Initiatives from the Strategic Fund not to exceed
10 two percent of the program total.

11 Section 42. Clean Energy Fund Balance. Notwithstanding any other law to the contrary, the funds
12 appropriated to DEDO for the establishment of the Clean Energy Fund pursuant to 74 Del. Laws, c. 308 §
13 36(c) shall be deposited by DEDO into the Delaware Strategic Fund for use in accordance with the
14 provision of 29 Del. C. § 5027-5029 and regulations promulgated thereunder.

1 **DELAWARE STATE HOUSING AUTHORITY**

2 Section 43. Housing Development Fund - Affordable Rental Housing Program. The Section 1
3 Addendum to this Act appropriates ~~\$14,000,000~~\$4,000,000 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, ~~2012~~2013 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 44. 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.

1 **DEPARTMENT OF STATE**

2 Section 45. North Wilmington Library. Funds authorized in the Section 1 Addendum of 70 Del.
3 Laws, c. 210 shall be used to plan and construct a library within the First Senate District.

4 Section 46. Delaware River Main Channel Dredging. It is the intent of the General Assembly that
5 any future appropriation of State funds for the main channel dredging of the Delaware River shall be
6 contingent upon the following:

7 1) A written agreement between the Army Corps of Engineers and the Department of Natural
8 Resources and Environmental Control (DNREC) dealing with the potential use of dredge spoils
9 for Delaware beach preservation and habitat protection.

10 2) The Corps of Engineers shall meet all necessary DNREC permitting requirements.

11 Section 47. Museum Maintenance. The Section 1 Addendum to this Act appropriates \$350,000 to
12 the Department of State for museum maintenance. It is the intent of the General Assembly that these funds
13 be retained by the Department of State, Division of Historical and Cultural Affairs for use with the
14 operations of State museums or for repairs to those facilities under the control of the Division of Historical
15 and Cultural Affairs.

16 Section 48. Library Construction. Proposals submitted by the Department of State to the Office of
17 Management and Budget under 29 Del. C. § 6604A shall include a statement as to whether or not each of
18 the libraries have the required 50 percent non-state share match as defined in 29 Del. C. § 6602A(2).

19 Section 49. Stabilization Endowment for the Arts. It is the intent of the General Assembly that
20 previously appropriated funds from the Department of State to the Stabilization Endowment for the Arts
21 may be used to fund operating expenses pursuant to appropriate controls and procedures adopted by the
22 Board of the Arts Consortium of Delaware and upon concurrence of the Division of Arts.

1 **DEPARTMENT OF FINANCE**

2 Section 50. Bond Proceeds Reimbursement. Unless not permitted by the Internal Revenue Code of
3 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 51. 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 52. ~~Qualified School Construction Bonds; Build America Bonds; and~~ Amortization
10 Requirements. ~~A portion of the General Obligation bonds authorized under this Act or any previous~~
11 ~~authorization act may be issued in the form of Qualified School Construction Bonds (QSCBs), Build~~
12 ~~America Bonds (BABs), or any other bonds permitted by the federal American Recovery and Reinvestment~~
13 ~~Act of 2009 (ARRA) or by the Code. The QSCBs may be issued in a principal amount not exceeding the~~
14 ~~maximum amount of QSCBs which may be issued under the Code and the Regulations and are hereby~~
15 ~~authorized as part of the General Obligation bonds authorized under 29 Del. C. § 7422(b). Notwithstanding~~
16 ~~anything to the contrary contained in 29 Del. C. 74, the Secretary of Finance is hereby authorized to~~
17 ~~determine the terms and conditions of the QSCBs, the BABs and any other bonds permitted by ARRA, or~~
18 ~~any bonds issued in connection with the QSCBs or BABs, and the manner by which they shall be awarded~~
19 ~~to the purchasers thereof, including private negotiated sale. Any bonds authorized in this Act or any~~
20 ~~previous authorization act may be issued during Fiscal Year ~~2012~~2013 or Fiscal Year ~~2013~~2014, and may~~
21 ~~be subject to any amortization requirements as shall be determined by the bond issuing officers~~
22 ~~notwithstanding anything to the contrary contained in ~~Section 7406(b) of Title 29 Del. C. § 7406(b).~~~~

23 Section 53. Escheat. Notwithstanding the provisions of 29 Del. C. § 6102(a), for the fiscal year
24 ending June 30, 2013, with respect to revenues collected under 12 Del. C. c. 11, the Secretary of Finance
25 shall transfer up to \$10,000,000 of receipts received in excess of \$504,000,000 to the Other Post-
26 Employment Benefits Fund as established by 29 Del. C. § 5281. Should aggregate collections under 12

1 Del. C. c. 11 cause the transfers into the Other Post-Employment Benefits Fund to reach the \$10,000,000
2 limit established by this section, any remaining receipts received by the State under 12 Del. C. c. 11 shall be
3 deposited to the General Fund.

1 **DEPARTMENT OF CORRECTION**

2 Section 54. 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 55. 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 56. 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.

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

2 Section 57. 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 58. 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 59. 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 60. Army Corps of Engineers Project Cooperation Agreements. By using funds approved
23 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 61. Indian River Marina. In accordance with the provisions of 73 Del. Laws, c. 350, § 70,
2 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 62. 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, the City must repay to the State those monies appropriated in the Fiscal
13 Year 2000 and 2001 Bond and Capital Improvements Acts for said project.

14 Section 63. Seventh Street Marina. It is the intent of the General Assembly to classify the Seventh
15 Street Marina, located on East Seventh Street, being Tax Parcel # 26.044.00.0013 containing 7.86 acres of
16 land (of which 5.27 acres, more or less, is above the high water line) as existing marina for purposes of the
17 State of Delaware Marina Regulations, adopted on March 29, 1990 and amended on February 22, 1993.
18 Such classification does not exempt any person seeking to make physical improvements to the marina from
19 permit application fees pursuant to 7 Del. C. c. 66 and c. 72.

20 Section 64. Waterway Management. DNREC is directed to provide dedicated, comprehensive
21 waterway management for state waters. DNREC will: maintain design depths and mark navigational
22 channels of the State that are not maintained and marked by any entity of the federal government; remove
23 nuisance macroalgae; remove abandoned vessels; remove derelict structures, trees and other debris that
24 threatens safe navigation; and perform any other waterway management services that may be identified to
25 preserve, maintain and enhance recreational use of the State's tidal waters, as well as improve
26 environmental conditions as warranted or directed by the Governor or Secretary of DNREC. DNREC is

1 further directed to undertake a study of the sediment sources and patterns of sediment movement that results
2 in deposition within State waterways to determine if there are methods to reduce the dependency on
3 dredging to remove deposited sediments.

4 Section 65. Clean Water Funding Leverage. The Department of Natural Resources and
5 Environmental Control, under advisement from the Clean Water Advisory Council, is encouraged to
6 evaluate the potential leveraging of the Water Pollution Control Revolving Fund and/or the Twenty-First
7 Century Fund Water/Wastewater Management Account based on the recommendation of the Dialogue on
8 Financing Wastewater and Stormwater Infrastructure report sponsored by the Delaware Public Policy
9 Institute, Office of the Governor, Office of the Lieutenant Governor, DNREC and the Clean Water
10 Advisory Council. The Department is further encouraged to include in its evaluation the use of any other
11 resources or assets within the Department that can be used to create an environmental infrastructure trust to
12 further the environmental goals of the State.

13 Section 66. Conservation Districts. It is the intent of the General Assembly that the Office of
14 Natural Resources, Division of Watershed Stewardship and the Conservation District as established by
15 7 Del. C. c. 39 shall have the authority to transfer Twenty-First Century Funds among projects that are
16 located within their respective districts. Projects into which funds are transferred shall have their full non-
17 Twenty-First Century funding in place before any such transfer can occur and in no case shall any project
18 from which funds are taken be dropped from the project list for construction when funds become available.
19 The Office of Natural Resources, Division of Watershed Stewardship shall report a list of completed
20 transfers to the Director of the Office of Management and Budget and the Controller General on December
21 15, ~~2011~~2012 and May 15, ~~2012~~2013.

22 Section 67. Yard Waste Drop Sites. It is the intent of the General Assembly that all yard waste
23 drops sites in New Castle County remain operational unless otherwise directed by the General Assembly.

24 Section 68. Drainage Project Match Requirements. For water management and drainage projects
25 undertaken by the Department of Natural Resources and Environmental Control's, Office of Natural
26 Resources, Division of Watershed Stewardship and the Conservation Districts using ~~21st~~Twenty-First

1 Century Fund Resource, Conservation and Development funds, the required non-~~21st~~Twenty-First Century
2 Fund match shall be reduced from 25 percent to a minimum of 10 percent of the total project cost for any
3 project undertaken during Fiscal Year ~~2012~~2013 and ~~2013~~2014. With the agreement of the legislators in
4 whose districts the projects originated, ~~21st~~Twenty-First Century funding may be transferred among projects
5 in an effort to accumulate up to 90 percent ~~21st~~Twenty-First Century funding for priority projects. If the
6 construction of these projects extends beyond Fiscal Year ~~2013~~2014, so long as the project has expended
7 funds during this period for planning, survey, design, engineering, permitting or other support functions, the
8 match percentage shall remain 10 percent for the project's duration.

9 Section 69. Auburn Valley Project. The implementation of the transportation, stormwater
10 management, demolition, remediation, redevelopment, and parks and recreation element of the Auburn
11 Valley Master Plan shall not be subject to the zoning, subdivision, land use, or building code ordinances or
12 regulations of New Castle County.

13 Section 70. Conservation District Contracting. Notwithstanding any statutory provision or
14 regulation to the contrary, it is the intent of the General Assembly that the Department of Natural Resources
15 and Environmental Control may enlist Delaware's conservation districts as provided in 7 Del. C. c. 39 to
16 advance the purposes of this chapter. All contracts shall be subject to the provisions of 29 Del. C. § 6960.

17 Section 71. Recycling Cash Flow. The Department is hereby authorized, consistent with 7 Del.
18 C. c. 60 and 30 Del. C. c. 29, to issue grants and loans to assist persons engaged in the business of
19 collecting, transporting, processing, or marketing recyclable materials. To that end, the Secretary shall be
20 authorized to borrow up to \$22,000,000 in combination from the Delaware Land and Water Conservation
21 Trust Fund Endowment Account, the Parks Endowment Account, the Beach Preservation Appropriation
22 Account and the Resource, Conservation and Development Appropriation in order to fund activities
23 pursuant to 7 Del. C. § 6054 and § 6055. Any funds borrowed from such accounts shall be paid back in
24 full by no later than June 30, 2015, from fees generated pursuant to 30 Del. C. c. 29. To the extent that
25 borrowing results in reduced revenues to the Department for programs that rely on interest from these
26 accounts, principal from the account may be used to offset up to the amount of lost interest revenue and

1 shall be repaid by fees generated pursuant to 30 Del. C. c. 29. A report must be submitted regarding funds
2 borrowed and update on the recycling program to the Director of Office and Management and Budget and
3 the Controller General's Office by October 15, ~~2011~~2012 and April 15, ~~2012~~2013.

4 Section 72. Bay View. In accordance with the provisions of 77 Del. Laws, c. 329 § 90, the
5 Department is hereby authorized to spend up to \$200,000 in prior year funds from the Beach Management
6 Account for the purpose of stabilization and/or restoration of the beach at the community of Bay View. No
7 new appropriations shall be made for this purpose. These funds shall be used for the acquisition of
8 additional scientific data, and/or preparation of local, state, and federal permit applications for this project
9 and may be added to subsequent year appropriations for construction of this protective beach and terminal
10 structure to assist in stabilizing the beach. Project oversight and implementation will be provided through
11 the New Castle Conservation District. Prior to any construction, all applicable local, state and federal
12 permitting requirements shall be met. The Department's interim policy for Coastal Lands Restoration
13 Projects shall apply and prior to commencement of any construction, a written agreement between the
14 Department and the community shall be signed by appropriate parties and will address applicable policy
15 considerations. Any funds borrowed from the Beach Management Account shall be restored through Bond
16 Bill appropriations no later than August 1, 2015.

17 Section 73. Redevelopment of Strategic Sites. The Section 1 Addendum to this Act appropriates
18 ~~\$2,500,000~~\$2,050,000 to the Department of Natural Resources and Environmental Control for the
19 redevelopment of strategic sites.

20 (a) ~~\$2,250,000~~\$2,000,000 shall be used for the remediation and redevelopment of the former NVF
21 Facility in Yorklyn, along the Red Clay Creek.

22 (b) ~~\$250,000~~\$50,000 shall be used to develop ~~a plan for the redesign and redevelopment of the Fort~~
23 ~~DuPont complex in Delaware City that encourages economic development that is compatible with current~~
24 ~~historic structures and recreational purposes~~demolition plans, specifications, and related permitting for
25 those portions of the Fort DuPont site that are not historic and are slated to be demolished under the
26 development plan for the site. ~~The Department of Natural Resources and Environmental Control shall work~~

1 ~~with the Delaware Economic Development Office, the Delaware State Housing Authority and the~~
2 ~~Department of Transportation to submit a joint plan for the development of these sites to the Director of the~~
3 ~~Office of Management and Budget and the Controller General by October 15, 2011.~~

4 Section 74. University of Delaware – Lewes Lands. The Department of Natural Resources and
5 Environmental Control (Department) has identified a small portion of land previously acquired from the
6 University by the Department that may be appropriate to be transferred to the University. The land is
7 located adjacent to the Sharp Campus in Lewes and under easement for use by the University. The land is
8 limited to the area on which the University is conducting research associated with the operation of a wind
9 turbine and will be of sufficient size to ensure the proper safety fall zones for the existing wind turbine. The
10 Department has determined that this land is now not essential to the Department’s needs. In accordance
11 with 30 Del. C. § 5423(c)(2), the General Assembly authorizes the Secretary of the Department to negotiate
12 a transfer of such land to the University in keeping with the requirements of this section. The Secretary may
13 accept funds or, if he determines that it is in the best interests of the Department, may accept open space
14 property or property rights in exchange, or a combination of funds and property or property rights, as long
15 as the total funds and fair market value of the exchanged property at least equals the fair market value of the
16 Lewes land. Any land/fund transfers pursuant to this section, shall require the approval of the Co-Chairs of
17 the Joint Legislative Committee on the Capital Improvement Program, the Director of the Office of
18 Management and Budget and the Controller General. Prior to seeking such approval and formally
19 concluding any agreement, the Department shall bring any proposal to the Open Space Council for
20 consideration. Any agreement shall include conditions on the use of the parcel such that no additional land-
21 based wind turbines shall be constructed.

22 Section 75. Tax Ditches. When a tax ditch traverses county lines, and said ditch has a project
23 added to the ~~21st~~ Twenty-First Century Fund Resource, Conservation and Development Project List by one
24 county Conservation District, it shall automatically be added to the Project list in the other county by that
25 county Conservation District.

1 **DEPARTMENT OF TRANSPORTATION**

2 Section 76. 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 ~~\$432,624,900~~\$420,140,103
6 (State: ~~\$219,488,000~~\$213,083,903; Federal: ~~\$203,347,300~~\$204,339,000; Other: ~~\$9,789,600~~\$2,717,200) are
7 authorized to be withdrawn from the Transportation Trust Fund to carry out the projects and programs as
8 set forth in the Section 1 Addendum of this Act.

9 (b) New Transportation Trust Fund Debt Authorizations. To fund a portion of the projects
10 authorized herein, the Delaware Transportation Authority is hereby authorized to issue bonds in an amount
11 not to exceed ~~\$138,929,253~~\$32,089,724 pursuant to the provisions of 2 Del. C. c. 13 and c. 14, of which not
12 more than ~~\$129,882,000~~\$30,000,000 plus premium shall be used for purposes set forth in the Section 1
13 Addendum of this Act with the remainder, not to exceed ~~\$9,047,253~~\$2,089,724 to be used to fund issuance
14 costs and necessary reserves for the Reserve Account.

15 Section 77. Maintenance and Operations Facilities. Building structures and facilities constructed,
16 or to be constructed, within the Department of Transportation's operating right of way that facilitate
17 maintaining the highway system and are used to assist in the operational and maintenance activities for all
18 roads, shall not be subject to zoning, subdivision, or building code ordinances or regulations by any
19 political subdivision of the State. Types of structures may include; equipment sheds, crew quarters,
20 equipment maintenance , equipment washing , material storage sheds (i.e. salt, sand and other bulk
21 materials), fuel centers, and other maintenance structures required to maintain the highway system such as
22 security (cameras and fences) including necessary maintenance and replacement items such as upgrades to
23 existing facilities. The Department shall not construct any such facility without first conducting a public
24 workshop to describe such plans and gather public input into the effect of such plans.

25 Section 78. Transportation Enhancements. (a) It is the intent of the General Assembly that the
26 Department provide notice to all State agencies, political sub-divisions within the State; and other parties of

1 the availability of, and rules governing, the Transportation Enhancements program. Such notice shall
2 include, but not be limited to, the definitions of eligible projects, the requirements for matching funds, and
3 such other requirements as may be necessary to insure that any interested entity may work to become a
4 participating recipient under the program. For new projects, the Department of Transportation is directed to
5 submit a detailed list of all projects funded within the Transportation Enhancement Program to the Office of
6 Management and Budget and Office of the Controller General on an annual basis. The State funding for
7 this program shall be limited to the required 20 percent match of the related Federal Authorization. The
8 projects funded by this program shall be limited to the allowable categories as outlined by the Federal
9 Highway Administration. Any deviation from this process must be approved by the Office of Management
10 and Budget, Office of the Controller General and Co-Chairs of the Joint Committee on Capital
11 Improvements.

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

15 Section 79. Grants and Allocations. The Section 1 Addendum of this Act appropriates the sum of
16 ~~\$20,075,000~~\$12,375,000 (State) for projects within the Grants and Allocations classification. The General
17 Assembly further defines its intent with respect to those appropriations as follows:

18 (a) The sum of ~~\$15,075,000~~\$8,375,000 (State) shall be used for the Community Transportation
19 Fund, in accordance with the rules and regulations as adopted by the Joint Legislative Committee on the
20 Capital Improvements Program, as amended from time to time.

21 (b) The sum of ~~\$1,000,000~~\$4,000,000 (State), ~~added to the Fiscal Year 2011 allocation of~~
22 ~~\$4,000,000~~ shall be used for the Municipal Street Aid program, pursuant to the provisions of 30 Del. C. c.
23 ~~51 for a total of \$5,000,000 for Fiscal Year 20122013. The additional funding will be only dedicated to~~
24 ~~improvements involving respective municipalities' roads and bridges.~~

25 Section 80. Municipal Street Aid. Of the funds allocated to Municipal Street Aid in 78 Del. Laws,
26 c.76, Section 97 (b), the sum of \$1,000,000 was dedicated solely to improvements involving respective

1 municipalities' roads and bridges. This requirement shall remain in effect for any remaining unexpended
2 funds carried over into Fiscal Year 2013.

3 Section 81. 5310 Program. The Delaware Transit Corporation is authorized to expend up to
4 ~~\$1,329,700~~\$588,064 (~~\$859,200~~\$117,613 State; ~~\$470,500~~\$470,451 Federal) from the Transit System
5 classification (73/00) appropriated in this Act for the 5310 Program, administered by the Federal Transit
6 Authority.

7 Section 82. DelDOT Work Impacts on Private Property and its Owners. When the Department
8 and/or any of its contractors determines that it would be in the best interests of the State to undertake
9 construction/reconstruction work past 9:00 p.m. or before 7:00 a.m., and such work is to be conducted
10 immediately adjacent to a residential neighborhood;

11 (a) The Department shall first ensure that residents of the neighborhood are notified in a timely
12 fashion of the Department's desire to undertake such work. It must explain the benefits and costs to the
13 State and the neighborhood of working under regular hours and the proposed extended hour schedule. Such
14 notifications shall include a description of the proposed work to be conducted, the proposed use of any
15 equipment that may cause noise, vibration or odor disruptions to the neighborhood, and an estimate of the
16 time required to complete the project. The Department may proceed with its extended hours of work if it
17 does not receive a significant number of objections from the notified residents. Pursuant to the provisions
18 of the Delaware Code, it shall offer temporary relocation to any residents who request such relocation.

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

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

25 (d) If the Department determines that the proposed work may cause any vibration or other damage
26 to neighboring property, it shall complete a pre-work survey of the potentially affected properties to

1 determine the base-line condition of those properties. It shall monitor the properties during construction to
2 insure that any vibration or other damage is minimized. If any damage does occur, the Department must
3 reimburse the private property owners pursuant to the provisions of the Delaware Code. The Secretary of
4 the Department may waive the provisions of this section if he/she determines that any such work is
5 necessary in order to respond effectively to an emergency caused by a natural disaster, an accident, or a
6 failure of a transportation investment.

7 Section 83. Indian River Inlet Bridge. State funds authorized in this and previous Acts of the
8 General Assembly for the design and construction of a new bridge at the Indian River Inlet and the
9 construction of new park amenities, access and circulation roads, and other transportation and recreation
10 improvements shall be used, to the maximum extent possible, to match federal funds previously available,
11 or to become available in the future. In keeping with the strong sense of community involvement and sense
12 of ownership, the Department shall continue to provide periodic progress updates through such media as it
13 determines to best address the community's needs. And finally, because in order to accomplish this project
14 in an efficient and cost-effective manner, the Department and its contractors will have to occupy portions of
15 the State's adjacent campground and marina facilities, the General Assembly authorizes and directs the
16 Secretary of the Department to enter into reimbursement agreements with the Secretary of DNREC. Such
17 agreements will insure that during the period of construction of the bridge and other necessary
18 improvements, DNREC shall be equitably indemnified from the loss of critical tourist revenues, which are
19 necessary to fund the operations of all of the State's outdoor recreational facilities.

20 Section 84. City of Wilmington Beautification. In order to maintain the urban tree canopy
21 available in the City of Wilmington, the General Assembly authorizes and directs the Department to
22 establish, and maintain a program of tree maintenance and replacement in cooperation with the Delaware
23 Center for Horticulture (Center) and/or Urban Forestry in the Department of Agriculture. It is the intent of
24 the General Assembly that such program shall be funded exclusively by allocations made from time to time
25 by members of the General Assembly from their Community Transportation Funds (CTF). The Department

1 shall make payments to the Center and/or Urban Forestry in the Department of Agriculture for work
2 accomplished, and appropriately vouchered, from the CTF funds herein identified.

3 Section 85. Supplies of Road Materials. ~~Section 109 of 74 Del. Laws, c. 308~~74 Del. Laws, c. 308
4 § 109 is suspended until such time as the Department of Transportation shall suggest its re-institution and
5 such suspension has been overridden by an Act of the General Assembly.

6 Section 86. System Capacity Preservation. The General Assembly hereby determines that it is in
7 the public interest to limit future residential, commercial, or industrial growth along certain portions of the
8 State's highway network. Such potential growth would produce unsafe driving conditions as increased
9 traffic seeks access to, and movements along, a number of local roads and collectors in critical locations
10 through the State. The General Assembly further determines that it would be infeasible or imprudent for
11 the Department to attempt to design and construct modifications to the State's highway network adjacent to
12 these locations because such improvements would irrevocably destroy the important scenic and historic
13 nature of the view sheds and other environmental attributes associated with these locations. Accordingly,
14 the Secretary of the Department of Transportation (Secretary) is authorized and directed to use State funds
15 appropriated to the Transportation Enhancements program authorized and funded in the Section 1
16 Addendum of 74 Del. Laws, c. 308, together with such other funds from any public or private source as
17 may be available and appropriate, to purchase land, or such rights in land, as the Secretary deems necessary
18 to protect the following properties, pursuant to the stipulations stated herein. Expenditures of these funds
19 for these purposes shall be with the review and approval of the Director of the Office of Management and
20 Budget and Controller General. The provisions of 17 Del. C. c. 1 and 29 Del. C. c. 93 and c. 95 shall govern
21 such purchases, and any other purchase by the Department authorized by this Act.

22 (a) Millcreek Farm (Yearsley) Property - Four parcels totaling approximately 35 +/- acres
23 adjacent to Mill Creek (SR 282) and Stoney Batter (SR 283) Roads in New Castle County. The Department
24 shall work with members of the surrounding community, plus State and local officials, to develop a master
25 plan for the permanent protection of the site as community recreation and open space, and upon satisfactory
26 completion of such plans, may transfer the parcel to New Castle County for a fee to be determined.

1 Section 87. Denny Road/Route 896 Alignment Completion. Upon completion and final inspection
2 of the Denny Road/Route 896 Realignment Project, the frontage property consisting of two parcels (0.93
3 and 0.929 acres) along Route 896, currently landscaped and maintained by the community of Meadow
4 Glen, shall revert back to the community which had owned said parcels prior to 1994. Notwithstanding the
5 provisions of 17 Del. C. § 137, the Department shall deed these parcels to the community and remain in
6 their possession in perpetuity.

7 Section 88. Port of Wilmington. Subject to the review and approval of the Board of Directors of
8 the Diamond State Port Corporation (DSPC):

9 (a) DSPC may make application to the Delaware River and Bay Authority (DRBA) for such
10 assistance in the acquisition and improvement of facilities at the Port as the Board of the DSPC deems
11 appropriate, in accordance with the Compact authorized under 17 Del. C. § 1701. For purposes of those
12 negotiations, any such project selected by the DSPC shall be construed to have been approved by the
13 General Assembly and Governor as required by law subject to the conditions that any such project shall be
14 subject to 29 Del. C. c. 69 and that such projects are subject to the approval of the Director of the Office of
15 Management and Budget, the Controller General and the Co-Chairs of the Joint Legislative Committee on
16 the Capital Improvement Program.

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

23 Section 89. Wakefield Drive. The Department of Transportation shall be prohibited from
24 reopening Wakefield Drive in Newark through to Old Baltimore Pike.

25 Section 90. Community Transportation Funding Levels. The Department is directed to account for
26 the Community Transportation Program funds as cash which shall be equal to the amounts authorized in

1 Appendix A of this Act as well as previous Bond and Capital Improvements Acts. The funds authorized
2 within the Community Transportation program shall not be subject to reallocation by the Department under
3 any circumstances.

4 Section 91. Design-Build Contracts. The Department of Transportation is hereby authorized to
5 continue utilization of the design-build contract mechanism for a total of twelve transportation construction
6 projects (nine of which have been authorized). Design-build is a project delivery method under which a
7 project owner, having defined its initial expectations to a certain extent, executes a single contract for both
8 architectural/engineering services and construction. The selection processes and other terms of such
9 contracts may vary considerably from project to project. The design-build entity may be a single firm, a
10 consortium, joint venture, or other organization. However, the fundamental element of design-build
11 delivery remains that one entity assumes primary responsibility for design and construction of the project.
12 The Department of Transportation is authorized to continue the use of these experimental approaches to
13 completing its projects, subject to the following conditions:

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

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

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

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

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

4 Section 92. New Development Road Widening. When planning and/or permitting additional road
5 widening directly related to new residential development, the Department of Transportation, Division of
6 Planning, shall make every attempt to require the necessary right-of-way land be acquired from the
7 developer owned land.

8 Section 93. W. L. Gore Site. In evaluating and recommending improvements to the transportation
9 system related to the development of what is known as the W.L. Gore site, located in New Castle County
10 and situated on the north side of Sunset Lake – east of SR 896 and southeast of Old Cooch’s Bridge Road,
11 the department will make every effort to ensure that the improvements made facilitate and encourage traffic
12 to travel toward and use SR 896 and to discourage additional use of Old Cooch’s Bridge Road east of the
13 entrance to the W.L. Gore property. This is in recognition of the historic characteristics of Old Cooch’s
14 Bridge Road in the vicinity of the intersection with Old Baltimore Pike.

15 Section 94. Route 301 Spur Road Segment. The General Assembly directs the Department to
16 implement the US 301 Corridor project in Phases, beginning with the US 301 mainline section.

17 Section 95. Astra Zeneca Project. The Department shall carry out property boundary adjustments
18 and easements for transit, bicycle and pedestrian, storm water management, wetlands and stream
19 restoration, beautification, historic preservation, conservation and other improvements in concert with
20 DNREC, DEDO, City of Wilmington, New Castle County, New Castle County Conservation District, and
21 such other public and private entities as may be necessary to accomplish timely completion of the Blue 4
22 Ball Master Plan.

23 Section 96. Buck Road. The Department of Transportation is requested to refrain from issuing any
24 entrance permit, authorization, or approval for use of any entrance way from New Castle County Parcel
25 Number 0702600094 onto Buck Road, until such time as it also certifies by letter to the New Castle County
26 Department of Land Use that the developer’s proposed entrance design meets the Department’s standards,

1 pursuant to its authority under ~~Title~~ 17 Del. C. § 146 and its related regulations, intended to protect public
2 safety and maintain smooth traffic flow. The government of New Castle County is also requested to solicit
3 comments from and work with the residents of surrounding communities, community organizations, and
4 State and local officials to address traffic safety and other legitimate land use concerns about the proposed
5 development, after the receipt of the Department's letter.

6 Section 97. Routes 141 and 48. The Department of Transportation is requested to refrain from
7 issuing any permit, authorization, or approval for use of any new, additional, revised, or modified entrances
8 for New Castle County Parcel Numbers 07-032.20-003, 07-032.20-048 through and including 07-032.20-
9 055, 07-032.20-057 and 07-032.30-072 onto or from Route 141 or Route 48, until such time as the
10 Department obtains, reviews, and comments upon a traffic operations analysis for the area, which among
11 other elements addresses (1) the predicted levels of service on intersections, roadways, or the Tyler
12 McConnell Bridge affected by the proposed development of these parcels, and (2) the roadway
13 improvements necessary to accommodate the development of these parcels, based upon the exploratory
14 development plans submitted to the New Castle County Department of Land Use by the developer, as
15 required by the County's Unified Development Code (UDC). To the extent that any submission of
16 proposed development plans is substantially different than the original exploratory development plans
17 submitted to the County, the Department is further requested to assess the impact of the new submission's
18 traffic generation upon the local transportation network. The scope of the assessment shall be at the
19 reasonable discretion of the Department.

20 Section 98. Delaware Children's Theatre. Notwithstanding the provisions of 17 Del. C. § 137(b),
21 the Department of Transportation is hereby authorized to deed a 0.16 acre parcel, of unused operating State
22 right of way adjacent to New Castle County Tax Assessment map parcel #26-021.30-124, located at 1014
23 Delaware Avenue, Wilmington, Delaware to the Delaware Children's Theatre. Said parcel shall be deeded
24 with complete vehicular denial of access along the right of way and shall be subject to any existing utilities
25 of record. The deed shall have a reversionary clause should the Department ever need a portion for a public
26 purpose project.

1 Section 99. DMV New Castle Facility. ~~(a) Section 1 of this Act makes an appropriation to the~~
2 ~~Department of Transportation, Support Systems; under Transportation Facilities appropriation for the~~
3 ~~design and construction of a new Division of Motor Vehicle (DMV) facility in New Castle County. The~~
4 ~~new facility will be located at the existing Mid County transit hub, which is currently owned by DelDOT.~~
5 ~~This new facility will replace the current DMV site currently located on Airport Road. While funding for~~
6 ~~the project is included in the Transportation Trust Fund, and is proposed to be matched with federal~~
7 ~~congestion mitigation funds, the Office of Management and Budget (OMB) — Division of Facilities~~
8 ~~Management will manage the construction process with oversight from DelDOT's Support Services~~
9 ~~personnel.~~

10 ~~(b)~~ Per 78 Del. Laws, c. 76 § 117 ~~It~~ is the intent of the General Assembly that the Department of
11 Transportation provide for an inclusive and open process whereby the views and ideas of the residents in
12 the neighborhoods surrounding the Airport Road Facility be gathered and provided to the Office of
13 Management and Budget and considered prior to any future plans or commitments being made regarding
14 the facility.

15 Section 100. Red Light Safety Enforcement. (a) The program shall continue to use recognized
16 safety and accident criteria in determining whether and where to add any new enforcement locations to this
17 program, and in any event shall continue to confirm that any such new locations are not objected to by the
18 incumbent state Senator and Representative for the districts in which such locations are proposed.

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

25 Section 101. Craft Training. The Department of Transportation is authorized to engage in up to
26 two project procurements (one in New Castle County and one in Kent County) utilizing the craft training

1 and apprentice program called for in 29 Del. C. § 6962(c), on an experimental basis. Any contractor that
2 performs work in multiple trades on a road construction project under the craft training experiment will
3 have an apprenticeship in at least one, not all of the trades on the project to comply with this experiment.
4 Upon the completion of these experiments, the Department shall report to the Joint Legislative Committee
5 on the Capital Improvement Program with its assessment of the program including, but not limited to, cost
6 savings, project quality and worker safety.

7 Section 102. Chestnut Hill Road Parcel. The provisions of 17 Del. C. § 137 notwithstanding, the
8 Department of Transportation is authorized to enter into agreements with other governmental agencies,
9 either directly or in concert with a private entity, regarding a Department-owned parcel known as NC227,
10 tax parcel no. 11-003.30-027, on terms the Department Secretary deems appropriate, for purposes of
11 evaluating the costs and benefits of fuel cell technology from environmental and economic development
12 perspectives, which the General Assembly hereby finds is an appropriate public purpose.

13 Section 103. Delaware Solid Waste Authority. Through a series of Custodial Resolutions dating
14 back to June 29, 1979 the Department of Transportation made available to the Delaware Solid Waste
15 Authority (DSWA) three parcels of land designated as parcels “A”, “B” and “C” which were of no further
16 use to the Department and which have since been incorporated into DSWA’s Central Solid Waste Facility
17 (Sandtown) Landfill Operations. The provisions of 17 Del. C. ~~Section~~ § 137 notwithstanding, the Secretary
18 of the Department is authorized and directed to transfer to DSWA by quitclaim deed all its right, title and
19 interest to Parcels “A”, “B” and “C” as shown on the Plot designated as Exhibit No. 1 to the Custodial
20 Resolution between DelDOT and DSWA dated December 10, 1998, such transfer to be made within ninety
21 (90) days of the date of this enactment.

22 Section 104. Rehabilitation of Public Streets, Industrial Parks. In order to maintain a safe,
23 attractive, and efficient network of public streets serving the state’s growing inventory of industrial parks,
24 the General Assembly hereby authorizes the Department to spend sums not exceeding \$250,000 on a pilot
25 program to address this issue. The Department shall prepare an inventory of all public streets within the
26 state’s industrial parks. It shall further rank all of these streets in the same manner that it prepares the

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

15 Section 105. Community Transportation Funds Work Group. ~~The Department of Transportation is~~
16 ~~directed to meet with a group of those legislators interested in reviewing the estimating and contracting~~
17 ~~processes currently used for projects funded through Community Transportation Funds. The incoming~~
18 ~~Secretary is requested to convene this meeting and report to the co-chairs of the Joint Legislative~~
19 ~~Committee on the Capital Improvement Program by October 31, 2011. The Department of Transportation~~
20 will provide an annual financial report regarding projects funded through Community Transportation Fund
21 and will report to the co-chairs of the Joint Legislative Committee on the Capital Improvement Program by
22 June 30 of each fiscal year.

23 Section 106. West Dover Connector. (a) The State recognizes the Department of Transportation's
24 West Dover Connector Project as a high priority for the City of Dover and for Kent County. The project
25 will improve the flow of traffic and reduce congestion for Dover's west side, and provide additional
26 connections for pedestrians and bicycles. In developing the project, the Department worked with officials

1 from Dover, the City of Camden, the Town of Wyoming, Kent County Levy Court, as well as property
2 owners and the public. In connection with this project, the headquarters of the Delmarva Council of the
3 Boy Scouts of America will be located on a portion of a property affected by the project, identified
4 previously as County Tax Map Numbers (2-00-085.00-02-04.00-00001) and (2-00-085.00-02-05.00-
5 00001) and identified currently as (2-00-085.00-02-04.00-00001), (2-00-085.00-02-05.00-00001), (2-00-
6 085.00-02-05.02-00001), and (2-00-085.00-02-05.03-00001). In addition, woods and fields will be
7 preserved for use by Boy Scouts. The County will construct active recreation facilities on another portion
8 of the property and the project will provide context-sensitive access to the property.

9 (b) The State notes the cooperative efforts of the Department and the Boy Scouts concerning their
10 respective projects. To realize some of the benefits of these efforts, a twelve-hundred-foot portion of one of
11 the access roads needs to be constructed as part of the Boy Scouts' project, to allow access to the Boy
12 Scouts' property to be constructed and opened for traffic, and avoid the construction and subsequent
13 demolition of a temporary driveway.

14 (c) Therefore, and notwithstanding any provision of state law to the contrary, the Department is
15 authorized to enter into such agreements it deems necessary and proper to reimburse the Delmarva Council
16 of The Boy Scouts of America for its actual expenditures for the creation of the public portion of the access
17 road needed to reach its entrance, provided that (a) such reimbursement will not exceed the unit prices
18 historically paid by the Department for the work items, and (b) the road improvements for which the
19 Department reimburses the Boy Scouts are built to Department standards, and (c) the construction of these
20 improvements has been inspected and accepted by the Department or its authorized agents.

1 **DEPARTMENT OF AGRICULTURE**

2 Section 107. Farmland Preservation. For the fiscal year ending June 30, ~~2012~~2013, ~~upon passage~~
3 ~~of legislation establishing the Farmland Purchase and Preservation Loan Program (“Delaware Young~~
4 ~~Farmer Program”)~~, ~~\$3,000,000~~\$500,000 of the ~~\$10,000,000~~\$2,000,000 allocated for Farmland Preservation
5 Funding ~~shall~~may be utilized by the Aglands Preservation Foundation in accordance with the rules and
6 policies for the Delaware Young Farmer Program in accordance with 3 Del. C. c. 9. All remaining state-
7 appropriated funds shall be utilized by the Aglands Preservation Foundation to preserve eligible farms
8 statewide through the traditional farmland preservation program at its discretion in accordance with
9 Aglands Foundation rules and policies. Local jurisdiction funds committed to farmland preservation for
10 Fiscal Year ~~2012~~2013 shall be spent to preserve farmland only in the respective jurisdictions where the
11 funds originate. Farms to be preserved shall be selected by the local jurisdictions according to the
12 jurisdictions selection criteria from eligible farms as listed by the Aglands Preservation Foundation.
13 Similarly, any funds provided by nongovernment organizations shall be spent according to their selection
14 criteria from eligible farms as listed by the Aglands Preservation Foundation.

FIRE PREVENTION COMMISSION

1
2
3
4
5
6

Section 108. Hydraulic Rescue Tools Replacement. It is the intent of the General Assembly that the funds authorized in the Section 1 Addendum of this Act be used to reimburse the Fire School, ~~Minquadale and Talleyville~~ Claymont, Wilmington Manor, Carlisle and Citizen’s Hose fire companies. Upon submitting the receipt of sale, each company will be reimbursed up to \$7,500 by the Fire Prevention Commission - State Fire School (75-02-01).

NATIONAL GUARD

1
2 Section 109. 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 additions and alterations on land adjacent to the existing Dagsboro Readiness Center. To
5 enable the pursuit of a design/build methodology for this project, all provisions of 29 Del C. c. 69 are
6 hereby waived with the exception of § 6960 related to prevailing wage.

1 **DELAWARE TECHNICAL AND COMMUNITY COLLEGE**

2 Section 110. 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.

DEPARTMENT OF EDUCATION

Section 111. School Building and Custodial Verification. By September 30 of each calendar year, each school district shall notify the Department of Education of its intended use for each school building and administrative office building. School districts shall notify the Department about changes in the use of such buildings to include the sale of property, closing of a building, lease of property to another agency, and additions and renovations. The Department of Education shall establish a standard reporting mechanism that school districts shall utilize to gather and submit required information.

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

Section 112. Land Donation for School Construction. Any land donated to a school district with an approved major capital improvement program shall be required to return to the State one-half of the State share amount originally budgeted for land purchase costs. In such case, the district shall be entitled to keep the remaining one-half State share amount, as well as the full local share amount in accordance with the certificate of necessity.

~~Section 113. Minor Capital Improvements. It is the intent of the General Assembly that the sum of \$10,023,800 allocated in the Section 1 Addendum to this Act be used for minor capital improvements to school buildings in the following amounts. Districts must use the funds in the amounts below on projects listed on the facility assessment website hosted by the Department of Education.~~

| <u>School District</u> | <u>Maximum State Share</u> | <u>Maximum Local Share</u> | <u>Total Cost</u> |
|------------------------|----------------------------|----------------------------|-------------------|
| Appoquinimink | \$ 680,046 | \$ 453,364 | \$ 1,133,410 |
| Brandywine | 768,053 | 512,035 | 1,280,088 |
| — Special | 16,054 | | 16,054 |
| Caesar Rodney | 486,227 | 324,151 | 810,378 |
| — Special | 31,865 | | 31,865 |
| Cape Henlopen | 319,189 | 212,793 | 531,982 |
| — Special | 31,622 | | 31,622 |

| | <u>Maximum</u> | <u>Maximum</u> | |
|----------------------------------|--------------------|--------------------|-------------------|
| <u>School District</u> | <u>State Share</u> | <u>Local Share</u> | <u>Total Cost</u> |
| Capital | 451,929 | 301,286 | 753,215 |
| — Special | 15,568 | | 15,568 |
| Christina | 1,219,761 | 813,174 | 2,032,935 |
| — Special | 57,771 | | 57,771 |
| Colonial | 716,825 | 477,883 | 1,194,708 |
| — Special | 12,406 | | 12,406 |
| Delmar | 93,553 | 62,369 | 155,922 |
| Indian River | 632,467 | 421,645 | 1,054,112 |
| — Special | 14,230 | | 14,230 |
| Lake Forest | 288,467 | 192,311 | 480,778 |
| Laurel | 160,105 | 106,737 | 266,842 |
| Milford | 307,002 | 204,668 | 511,670 |
| Red Clay | 1,154,013 | 769,342 | 1,923,355 |
| — Special | 17,027 | | 17,027 |
| Seaford | 255,993 | 170,662 | 426,655 |
| Smyrna | 363,484 | 242,323 | 605,807 |
| Woodbridge | 159,011 | 106,007 | 265,018 |
| New Castle VoTech | 574,428 | | 574,428 |
| Polytech | 144,124 | | 144,124 |
| Sussex Tech | 157,502 | | 157,502 |
| Campus Community | 43,857 | | 43,857 |
| Academy of Dover | 19,192 | | 19,192 |
| Delaware College Prep Academy | 17,806 | | 17,806 |
| DE Military Academy | 40,574 | | 40,574 |
| East Side Charter | 28,314 | | 28,314 |
| Family Foundations | 45,390 | | 45,390 |

| | <u>Maximum</u> | <u>Maximum</u> | |
|-------------------------|---------------------|--------------------|---------------------|
| <u>School District</u> | <u>State Share</u> | <u>Local Share</u> | <u>Total Cost</u> |
| Kuumba Academy | 18,462 | | 18,462 |
| Reach Academy | 16,127 | | 16,127 |
| Maurice Moyer Academy | 14,741 | | 14,741 |
| M.O.T. Charter | 49,258 | | 49,258 |
| Newark Charter | 97,493 | | 97,493 |
| Odyssey Charter | 31,963 | | 31,963 |
| Pencader Charter | 44,952 | | 44,952 |
| Positive Outcomes | 8,538 | | 8,538 |
| Prestige Academy | 17,733 | | 17,733 |
| Providence Creek | 50,790 | | 50,790 |
| Sussex Academy of Arts | 24,008 | | 24,008 |
| Thomas Edison | 55,095 | | 55,095 |
| Wilmington Charter | <u>70,785</u> | | <u>70,785</u> |
| Total to Schools | \$9,823,800 | \$5,370,750 | \$15,194,550 |
| Vocational Equipment | 85,000 | 56,667 | 141,667 |
| State Board Contingency | <u>115,000</u> | <u>76,667</u> | <u>191,667</u> |
| TOTAL | \$10,023,800 | \$5,504,084 | \$15,527,884 |

Minor Capital Improvements. It is the intent of the General Assembly that the sum of \$7,343,800 allocated in the Section 1 Addendum to this Act be used for minor capital improvements to school buildings in the following amounts. Districts must use the funds in the amounts below on projects listed on the facility assessment website hosted by the Department of Education.

| | <u>Maximum</u> | <u>Maximum</u> | |
|------------------------|--------------------|--------------------|-------------------|
| <u>School District</u> | <u>State Share</u> | <u>Local Share</u> | <u>Total Cost</u> |
| Appoquinimink | \$495,468 | \$330,312 | \$825,780 |

| | <u>Maximum</u> | <u>Maximum</u> | |
|--------------------------|--------------------|--------------------|-------------------|
| <u>School District</u> | <u>State Share</u> | <u>Local Share</u> | <u>Total Cost</u> |
| <u>Brandywine</u> | 559,286 | 372,857 | 932,143 |
| <u> Special</u> | 13,394 | | 13,394 |
| <u>Caesar Rodney</u> | 361,267 | 240,845 | 602,112 |
| <u> Special</u> | 20,747 | | 20,747 |
| <u>Cape Henlopen</u> | 241,142 | 160,761 | 401,903 |
| <u> Special</u> | 22,236 | | 22,236 |
| <u>Capital</u> | 322,031 | 214,687 | 536,718 |
| <u> Special</u> | 12,431 | | 12,431 |
| <u>Christina</u> | 859,150 | 572,767 | 1,431,917 |
| <u> Special</u> | 42,983 | | 42,983 |
| <u>Colonial</u> | 512,696 | 341,797 | 854,493 |
| <u> Special</u> | 8,229 | | 8,229 |
| <u>Delmar</u> | 68,755 | 45,837 | 114,592 |
| <u>Indian River</u> | 459,646 | 306,431 | 766,077 |
| <u> Special</u> | 10,505 | | 10,505 |
| <u>Lake Forest</u> | 205,268 | 136,845 | 342,113 |
| <u>Laurel</u> | 114,032 | 76,021 | 190,053 |
| <u>Milford</u> | 218,241 | 145,494 | 363,735 |
| <u>Red Clay</u> | 838,824 | 559,216 | 1,398,040 |
| <u> Special</u> | 11,643 | | 11,643 |
| <u>Seaford</u> | 181,736 | 121,157 | 302,893 |
| <u>Smyrna</u> | 268,718 | 179,145 | 447,863 |
| <u>Woodbridge</u> | 118,706 | 79,137 | 197,843 |
| <u>New Castle VoTech</u> | 416,611 | | 416,611 |
| <u>Polytech</u> | 103,299 | | 103,299 |
| <u>Sussex Tech</u> | 114,592 | | 114,592 |
| <u>Campus Community</u> | 30,570 | | 30,570 |
| <u>Academy of Dover</u> | 13,446 | | 13,446 |
| <u>Aspira Academy</u> | 15,968 | | 15,968 |

| | <u>Maximum</u> | <u>Maximum</u> | |
|-------------------------------|--------------------|--------------------|---------------------|
| School District | State Share | Local Share | Total Cost |
| DAPSS | 6,145 | | 6,145 |
| Delaware College Prep Academy | 14,497 | | 14,497 |
| DE Military Academy | 29,361 | | 29,361 |
| East Side Charter | 21,063 | | 21,063 |
| Family Foundations | 39,446 | | 39,446 |
| Gateway Charter | 9,612 | | 9,612 |
| Kuumba Academy | 13,656 | | 13,656 |
| Maurice Moyer Academy | 10,085 | | 10,085 |
| M.O.T. Charter | 35,559 | | 35,559 |
| Newark Charter | 70,594 | | 70,594 |
| Odyssey Charter | 26,262 | | 26,262 |
| Pencader Charter | 26,630 | | 26,630 |
| Positive Outcomes | 6,566 | | 6,566 |
| Prestige Academy | 15,757 | | 15,757 |
| Providence Creek | 36,137 | | 36,137 |
| Reach Academy | 13,972 | | 13,972 |
| Sussex Academy of Arts | 17,596 | | 17,596 |
| Thomas Edison | 38,291 | | 38,291 |
| Wilmington Charter | 50,949 | | 50,949 |
| Total to Schools | \$7,143,800 | \$3,883,309 | \$11,027,109 |
| Vocational Equipment | 85,000 | 56,645 | 141,645 |
| State Board Contingency | 115,000 | 76,646 | 191,646 |
| TOTAL | \$7,343,800 | \$4,016,600 | \$11,360,400 |

1 Section 114. Dickinson High School. Funding provided to the Red Clay School District for
2 Equalization as provided for in the Fiscal Year 2012 Annual Appropriations Act shall be contingent upon
3 the following:

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

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

10 Section 115. School Construction Fund Transfers. Notwithstanding any law or other provision to
11 the contrary, the Department of Education, with the approval of the Director of the Office of Management
12 and Budget and Controller General, may transfer funding between major capital construction projects
13 within the respective school districts. These transfers shall not authorize any changes in conditions or incur
14 any obligations in excess of the approved Certificate(s) of Necessity.

15 Section 116. School District Financial Reviews. It is the intent of the General Assembly that, for
16 school districts receiving funds appropriated in the Section 1 Addendum to this Act, should a school district
17 financial position report as required under 14 Del. C. § 1507 demonstrate less than one month of carryover,
18 or if at any time during the course of the fiscal year a school district is projected to not be able to satisfy its
19 local payroll obligations, the Director of the Office of Management and Budget, in coordination with the
20 Secretary of Education and Controller General, is authorized to conduct a comprehensive review of the
21 school district's capital construction program.

22 Section 117. School Construction Contractual Documents. Effective January 1, 2007, all school
23 districts that receive State funds for major capital construction projects shall use standard bid and contract
24 documents developed by the Office of Management and Budget, Facilities Management. School districts
25 may enhance the standard bid and contract documents with additional contractual or project-specific

1 requirements as long as the enhancements do not diminish and are not in conflict with the provisions of the
2 standard documents. The Department of Education, in consultation with the Office of Management and
3 Budget, Facilities Management, shall approve any modifications or changes to the provisions of the
4 standard bid and contract documents before a school district may use or enhance the modified documents.

5 Section 118. Brandywine School District Space Consolidation and Grade Reconfiguration. The
6 Section 1 Addendum to 76 Del. Laws, c. 79 appropriates \$1,600,000 to the Department of Education in
7 planning money for the renovation of Hanby Middle School in the Brandywine School District and further
8 authorized a local match share of \$1,066,700. In light of declining enrollment and to avoid increasing
9 operating costs, the District has decided to close the Hanby Middle School and has realigned the feeder
10 pattern for its remaining schools. The closure of the Hanby Middle School will allow the District to forego
11 the \$13,134,014 in state share and \$8,756,009 in local match share that would have been required to
12 renovate the school. In lieu of renovating the Hanby Middle School, the Brandywine School District is
13 hereby authorized to use the planning funds previously authorized to demolish the Hanby Middle School
14 and for other costs associated with the District's Space Consolidation and Grade Reconfiguration Plan
15 approved by the Brandywine School District Board of Education on February 25, 2008. Approval is also
16 hereby given to construct the Brandywood Elementary School, approved on C.N. # 0631B, on the site of
17 Hanby Middle School and to complete the renovations of P.S du Pont, on C.N. # 0631C, as a Middle
18 School.

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

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

1 Section 119. Milford School District – Access Road. To insure that property owned by the Milford
2 School District is used in accordance with the priorities established by the Milford School District Board of
3 Education, no state agency or municipality shall use said district property for any type of additional access
4 road without the approval of the Milford School District Board of Education. If the Milford School District
5 Board of Education does not publicly endorse, by affirmative vote, the placement of an additional access
6 road on district property, no state agency or municipality shall be authorized to condemn such district
7 property for said use.

8 Section 120. Brandywine School District Conveyances. (a) The General Assembly hereby
9 determines that it is in the public interest to reclaim a portion of the 13.97 acre parcel of land at 500 Duncan
10 Road, Wilmington, DE 19809 (New Castle County tax parcel ID number 06-132.00-188) (the Duncan
11 Road Parcel) held in a governmental capacity by the Brandywine School District in order for the State of
12 Delaware to convey to the Edgemoor Community Center, Inc. (ECC), a not for profit corporation of the
13 State of Delaware, an approximately 3.2 acre portion of said parcel (the ECC Parcel). ECC has provided
14 vital services to the citizens of Delaware since 1978, and has occupied the ECC Parcel exclusively since
15 1989. The General Assembly recognizes that as a titled owner of the ECC Parcel, ECC will be better able
16 to serve the citizens of Delaware and be better positioned to receive grants, including facilities improvement
17 grants. In addition, as a titled holder, ECC may immediately be able to lower its operational costs as it will
18 be able to renegotiate as a secured property holder outstanding debt currently being financed at unsecured
19 debtor rates.

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

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

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

- 25 (1) With the aforesaid side of Brandywine Boulevard this and the next three courses and
26 distances, South 42 degrees, 58 minutes, 38 seconds West, 364.88 feet to a point of
27 curvature, thence;

- 1 (2) By an arc curving to the right having a radius of 666.30 feet, an arc distance of 155.22 feet
2 (CHD=South 49 degrees, 39 minutes, 04 seconds West, 154.87 feet) to a point of tangency,
3 thence;
- 4 (3) South 56 degrees, 19 minutes, 30 seconds West, 24.56 feet to a point in line of Tax Parcel
5 No. 06-132.00-188, thence, through the aforesaid tax parcel the following twenty-seven
6 courses and distances, and also parallel to the proposed curb the next four courses and
7 distances;
- 8 (4) By an arc curving to the right having a radius of 18.00 feet, an arc distance of 9.97 feet
9 (CHD=North 49 degrees, 32 minutes, 37 seconds West, 9.84 feet) to a point, thence;
- 10 (5) North 33 degrees, 40 minutes, 30 seconds West, 59.06 feet to a point of curvature, thence;
- 11 (6) By an arc curving to the left having a radius of 126.00 feet, an arc distance of 89.83 feet
12 (CHD=North 54 degrees, 05 minutes, 57 seconds West, 87.94 feet) to a point of tangency,
13 thence;
- 14 (7) North 74 degrees, 31 minutes, 23 seconds West, 24.34 feet to a point, thence through the
15 existing baseball field;
- 16 (8) North 36 degrees, 43 minutes, 40 seconds East, 199.57 to a point behind the proposed curb,
17 thence, parallel with same the next two courses an distances;
- 18 (9) South 53 degrees, 56 minutes, 32 seconds East, 69.07 feet to an point, thence crossing the
19 proposed lane;
- 20 (10) North 35 degrees, 57 minutes, 46 seconds East, 27.99 feet to a point behind the existing
21 curb, thence parallel to the aforesaid existing curb;
- 22 (11) North 53 degrees, 35 minutes, 55 seconds West, 80.57 feet to a point of curvature, thence;
- 23 (12) By an arc curving to the right having a radius of 70.00 feet, an arc distance of 20.54 feet
24 (CHD=North 45 degrees, 11 minutes, 30 seconds West, 20.47 feet) to a point of tangency,
25 thence;
- 26 (13) North 36 degrees, 47 minutes, 06 seconds West, 14.08 feet to a point of curvature, thence;
- 27 (14) By an arc curving to the left having a radius of 12.50 feet, an arc distance of 3.46 feet
28 (CHD=North 44 degrees, 42 minutes, 59 seconds West, 3.45 feet) to a point of tangency,
29 thence;
- 30 (15) North 52 degrees, 38 minutes, 53 seconds West, 9.04 feet to a point, thence;
- 31 (16) North 46 degrees, 44 minutes, 48 seconds West, 4.76 feet to a point, thence;
- 32 (17) North 54 degrees, 03 minutes, 32 seconds West, 20.41 feet to a point, thence;
- 33 (18) North 25 degrees, 50 minutes, 17 seconds East, 14.16 feet to a corner of an existing loading
34 dock, thence;
- 35 (19) North 28 degrees, 53 minutes, 25 seconds East, 16.46 feet to a point, thence;
- 36 (20) North 34 degrees, 57 minutes, 29 seconds East, 9.27 feet to a point on the exterior building
37 wall, thence through the existing wall;
- 38 (21) South 59 degrees, 52 minutes, 12 seconds East, 4.22 feet to a point in the center of a new
39 division wall, thence, with same;
- 40 (22) North 35 degrees, 34 minutes, 51 seconds East, 17.34 feet to a point on the face of an
41 existing hallway wall, thence;

- 1 (23) South 63 degrees, 46 minutes, 07 seconds East, 1.45 feet to a point on the roof overhang
2 and the edge of an interior courtyard, thence, with same the next two courses and distances;
- 3 (24) North 35 degrees, 50 minutes, 53 seconds East, 95.51 feet to a point, thence;
- 4 (25) South 54 degrees, 48 minutes, 34 seconds East, 6.12 feet to a point in line of a new
5 doorway threshold, thence, with same;
- 6 (26) North 36 degrees, 03 minutes, 21 seconds East, 23.61 feet to a point in line of a retaining
7 wall, thence , with same the next four courses and distances;
- 8 (27) North 53 degrees, 42 minutes, 38 seconds West, 2.07 feet to a point, thence;
- 9 (28) North 35 degrees, 19 minutes, 14 seconds East, 31.69 feet to a point, thence;
- 10 (29) North 54 degrees, 45 minutes, 19 seconds West, 2.47 feet to a point, thence;
- 11 (30) North 35 degrees, 48 minutes, 20 seconds East, 40.90 feet to a point along the existing back
12 of curb, thence, parallel with same the next two courses and distances;
- 13 (31) By an arc curving to the left having a radius of 52.00 feet, an arc distance of 25.11 feet
14 (CHD=North 50 degrees, 07 minutes, 28 seconds East, 24.87 feet) to a point of tangency,
15 thence;
- 16 (32) North 35 degrees, 55 minutes, 26 seconds East, 12.54 feet to a point on the aforesaid side
17 of Brandywine Boulevard, thence, with same;
- 18 (33) South 54 degrees, 04 minutes, 34 seconds East, 337.87 feet to the Point of Beginning.

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

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

22 This conveyance shall be "as is" in that ECC shall accept any buildings erected on the parcel in
23 their present condition as of the time of conveyance, and shall be subject to all other covenants, conditions,
24 restrictions and easements of record, this reference to which shall not be construed to reimpose the same.
25 The Brandywine School District and ECC shall also negotiate in good faith to agree on mutually acceptable
26 easements and agreements to address issues including cross access, maintenance, and shared use of
27 property. Such easements or agreements shall guarantee to ECC continued water and sewer access at costs
28 pro rated to ECC's usage of such water and sewer services, and shall guarantee ECC use of and access to
29 any telephone, security alarm or other such ECC systems that remain on the Duncan Road Parcel but that
30 are not conveyed with the ECC Parcel.

31 All agencies reviewing the Minor Land Development Plan for the expansion of administrative
32 offices at the Duncan Road Parcel (New Castle County Application No. 2010-0235) shall review the plans

1 as the property existed prior to the subdivision of the property as directed herein. In addition, the Delaware
2 Department of Transportation shall grant a time extension of a maximum of twelve (12) months from the
3 time of the issuance of a Certificate of Occupancy for the expansion of the administrative offices by New
4 Castle County to complete the pedestrian improvements required by the Delaware Department of
5 Transportation within the public right-of-way for Duncan Road and Brandywine Boulevard.

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

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

23 Brandywine School District is hereby authorized and directed to convey the CCC Parcel and the
24 Second CCC Parcel to BCRC for the combined consideration of one dollar (\$1.00). The deed to the
25 aforesaid real property shall contain a provision whereby the Brandywine School District shall have the
26 right of first refusal to the property in the event that the BCRC wishes to vacate the property. If the BCRC

1 vacates the property and the Brandywine School District does not exercise its right of first refusal, proceeds
2 from the sale of said property shall be governed by the provisions 14 Del. C. § 1057(a)(15).

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

9 Section 121. Claymont Community Center. In connection with the transfer of property directed
10 pursuant to ~~Section § 135(b)~~, 77 Del. Laws, Chapter 329, § 135(b) the Brandywine Community Resource
11 Council Inc. (BCRC) shall be liable for the payment of survey(s) and/or related transaction costs necessary
12 to determine whether any portion of the land that was conveyed pursuant to the above authority are portions
13 of land originally acquired by the Delaware Department of Transportation (DOT) for right-of-way purposes
14 for the construction of Interstate 95. To the extent any survey confirms that any portion of such lands are,
15 in fact, owned by the DOT, and notwithstanding any provisions of 17 Del. C. § 137 to the contrary, the
16 DOT, after receiving any and all necessary approvals from the federal government or any agent thereof for
17 transfer of such land, is further authorized to execute any and all necessary deeds to convey said portions of
18 land to the BCRC and/or the Brandywine School District on the same terms and conditions as the
19 Brandywine School District's related conveyance to the BCRC pursuant to the above authority.

20 Section 122. Richard Allen School Conveyance. (a) Notwithstanding the provisions of ~~Title 14~~
21 Del. C. § 1057, the Indian River School District is hereby authorized and empowered to execute and
22 deliver to the Boys and Girls Club of Delaware Inc. a good and sufficient deed to transfer and convey all
23 that certain parcel of land all structures thereon, known as the Richard Allen School located in Sussex
24 County, Delaware (tax parcel 1-35 20-70). This conveyance shall be for consideration of \$1.00, and shall
25 be "as is" in the Boys and Girls Club of Delaware Inc. shall accept the building and land in their present
26 condition as of the time of conveyance.

1 (b) The deed to the aforesaid property shall contain a provision whereby said property will revert to
2 the Indian River School District in the event the property or any part thereof ceases to be used by the Boys
3 and Girls Club of Delaware, Inc.

4 Section 123. Milford Transfer of Major Capital Construction Funds. The Milford School
5 district, with the approval of the Secretary of Education, the Director of the Office of Management and
6 Budget and the Controller General, is authorized to transfer non-obligated major capital improvement funds
7 from the Central Academy Project (Certificate of Necessity #0818C-D) for the construction of an animal
8 science facility and land sciences laboratory on the Kent County Campus to be used by Central Academy
9 and Milford High School students.

10 Section 124. Bond Verification. All bonds issued, or herein before or herein authorized to be
11 issued, by the State are hereby determined to be within all debt and authorization limits of the State.

12 Section 125. Inconsistency. Insofar as the provisions of this Act are inconsistent with the
13 provisions of any general, special, or local laws, or parts thereof, the provisions of this Act shall be
14 controlling.

15 Section 126. Severability. If any section, part, phrase, or provision of this Act or the application
16 thereof be held invalid by any court of competent jurisdiction, such judgment shall be confined in its
17 operation to the section, part, phrase, provision, or application directly involved in the controversy in
18 which such judgment shall have been rendered and shall not affect or impair the validity of the remainder
19 of this Act or the application thereof.

20 Section 127. Effective Date. This Act shall take effect in accordance with the provisions of State
21 law.

SYNOPSIS

This Bill is the Fiscal Year 2013 Bond and Capital Improvements Act.

**Delaware Department of Transportation
FY2013 Capital Transportation Program
Appendix A
(in \$000's)**

| | APPR | Other Funding | Federal Authorization | State Authorization | FY 2013 Authorization |
|--|-------|----------------|-----------------------|---------------------|-----------------------|
| ROAD SYSTEM 97700 | | | | | |
| A. Expressways | | | | | |
| I-95 and US 202 Interchange | 97701 | | \$19,268.0 | | \$19,268.0 |
| Road A and SR 7 Improvements | 97701 | | \$960.0 | \$240.0 | \$1,200.0 |
| SR 1 and I-95 Interchange | 97701 | | \$5,886.5 | | \$5,886.5 |
| Interstate Maintenance Drainage Repairs | 97701 | | \$2,000.0 | | \$2,000.0 |
| Interstate Roadway Lighting | 97701 | | \$1,800.0 | | \$1,800.0 |
| Subtotal Expressways | | \$0.0 | \$29,914.5 | \$240.0 | \$30,154.5 |
| B. Arterials | | | | | |
| SR 141 Kirkwood Highway to Faulkland Road - Landscaping | 97701 | | \$376.0 | \$94.6 | \$470.6 |
| SR 2, South Union Street from Railroad Bridge to Sycamore Street, Wilmington | 97701 | | \$3,600.0 | \$900.0 | \$4,500.0 |
| SR 9 Wilmington Road, 3rd and 6th Street Intersection Improvements | 97701 | | | \$100.0 | \$100.0 |
| SR 9, Delaware and Harmony Street Intersection Improvements | 97701 | | \$600.0 | \$150.0 | \$750.0 |
| SR 9, New Castle Avenue, 3rd Street to Heald Street Improvements | 97701 | | \$400.0 | \$100.0 | \$500.0 |
| US 301 GARVEE Debt Service | 97701 | | \$10,984.5 | | \$10,984.5 |
| SR 1, Rehoboth Canal to Five Points, Pedestrian Improvements | 97701 | | \$8,350.0 | | \$8,350.0 |
| SR 1, SR 30 Grade Separated Intersection | 97701 | | \$5,600.0 | | \$5,600.0 |
| US 113, North / South Improvements | 97701 | | \$20,000.0 | | \$20,000.0 |
| US 13, Seaford Intersection Improvements | 97701 | | \$6,981.4 | | \$6,981.4 |
| SR 26, Atlantic Avenue from Clarksville to Assawoman Canal | 97701 | | \$2,000.0 | \$6,996.4 | \$8,996.4 |
| SR 896 and Porter Road Intersection Improvements | 97701 | | \$45.0 | \$5.0 | \$50.0 |
| HSIP Projects | 97701 | | \$21,625.5 | \$3,844.5 | \$25,470.0 |
| Subtotal Arterials | | \$0.0 | \$80,562.5 | \$12,190.5 | \$92,753.0 |
| C. Collectors | | | | | |
| West Dover Connector | 97701 | | \$3,500.4 | | \$3,500.4 |
| SR 24, Mulberry Knoll to SR 1 | 97701 | | | \$2,200.0 | \$2,200.0 |
| Subtotal Collectors | | \$0.0 | \$3,500.4 | \$2,200.0 | \$5,700.4 |
| D. Locals | | | | | |
| N412A, Hyetts Corner Road to Lorewood Grove Road | 97701 | | | \$400.0 | \$400.0 |
| Recreational Trails | 97701 | \$270.0 | \$1,080.0 | | \$1,350.0 |
| Subtotal Locals | | \$270.0 | \$1,080.0 | \$400.0 | \$1,750.0 |

**Delaware Department of Transportation
FY2013 Capital Transportation Program
Appendix A
(in \$000's)**

| | APPR | Other Funding | Federal Authorization | State Authorization | FY 2013 Authorization |
|--|-------|------------------|-----------------------|---------------------|-----------------------|
| E. Bridges | | | | | |
| Bridge Management Program | 97701 | | \$2,400.0 | \$1,600.0 | \$4,000.0 |
| Bridge Preservation Program | | \$313.0 | \$11,603.2 | \$5,372.8 | \$17,289.0 |
| Subtotal Bridges | | \$313.0 | \$14,003.2 | \$6,972.8 | \$21,289.0 |
| F. Other | | | | | |
| Transportation Enhancements | 97701 | | \$4,262.4 | \$228.1 | \$4,490.5 |
| Paving and Rehabilitation | 97701 | | \$11,100.0 | \$87,218.0 | \$98,318.0 |
| Materials and Minor Contracts | 97701 | | | \$4,800.0 | \$4,800.0 |
| Signage and Pavement Markings | 97701 | | \$800.0 | \$2,400.0 | \$3,200.0 |
| Rail Crossing Safety Program | 97701 | | \$1,237.6 | \$319.1 | \$1,556.7 |
| Safety Improvement Program | 97701 | | \$2,477.8 | \$244.4 | \$2,722.2 |
| Traffic Calming Program | 97701 | | | \$100.0 | \$100.0 |
| Intersection Improvements | 97701 | \$600.0 | | \$4,300.0 | \$4,900.0 |
| Engineering and Contingency | 97701 | | \$8.0 | \$29,627.4 | \$29,635.4 |
| Corridor Capacity Preservation | 97701 | | | \$3,000.0 | \$3,000.0 |
| Bicycle, Pedestrian and Other Improvements | 97701 | | \$1,000.0 | \$10,250.0 | \$11,250.0 |
| Subtotal Other | | \$600.0 | \$20,885.8 | \$142,487.0 | \$163,972.8 |
| TOTAL ROAD SYSTEM | | \$1,183.0 | \$149,946.3 | \$164,490.3 | \$315,619.6 |
| SUPPORT SYSTEM 97600 | | | | | |
| Planning | 97601 | | \$5,821.6 | \$2,195.9 | \$8,017.5 |
| Information Technology Initiatives Program | 97601 | | \$270.0 | \$5,811.2 | \$6,081.2 |
| Heavy Equipment | 97601 | | | \$4,000.0 | \$4,000.0 |
| Transportation Management Improvements | 97601 | \$90.0 | \$8,269.0 | \$2,007.3 | \$10,366.3 |
| Transportation Facilities | 97601 | | | \$6,700.0 | \$6,700.0 |
| Education and Training | 97601 | | \$200.0 | | \$200.0 |
| Aeronautics | 97601 | | \$175.0 | \$568.7 | \$743.7 |
| TOTAL SUPPORT SYSTEM | | \$90.0 | \$14,735.6 | \$21,283.1 | \$36,108.6 |

**Delaware Department of Transportation
 FY2013 Capital Transportation Program
 Appendix A
 (in \$000's)**

| | APPR | Other Funding | Federal Authorization | State Authorization | FY 2013 Authorization |
|-------------------------------------|-------|------------------|-----------------------|---------------------|-----------------------|
| TRANSIT SYSTEM 97300 | | | | | |
| Transit Facilities | 97301 | | \$5,628.1 | \$5,469.7 | \$11,097.8 |
| Transit Vehicles | 97301 | \$1,444.2 | \$31,329.1 | \$9,165.8 | \$41,939.0 |
| Rail Preservation | 97301 | | \$2,700.0 | \$300.0 | \$3,000.0 |
| TOTAL TRANSIT SYSTEM | | \$1,444.2 | \$39,657.1 | \$14,935.5 | \$56,036.8 |
| GRANTS AND ALLOCATIONS 95600 | | | | | |
| Municipal Street Aid | 95601 | | | \$4,000.0 | \$4,000.0 |
| Community Transportation Fund | 95601 | | | \$8,375.0 | \$8,375.0 |
| TOTAL GRANTS AND ALLOCATIONS | | \$0.0 | \$0.0 | \$12,375.0 | \$12,375.0 |
| SUB TOTAL | | \$2,717.2 | \$204,339.0 | \$213,083.9 | \$420,140.1 |
| GRAND TOTAL | | \$2,717.2 | \$204,339.0 | \$213,083.9 | \$420,140.1 |