



SPONSOR: Rep. Schwartzkopf & Sen. Blevins
Longhurst McBride
Viola Henry
Q. Johnson Venables

HOUSE OF REPRESENTATIVES
147th GENERAL ASSEMBLY

HOUSE BILL NO. 250

JANUARY 30, 2014

A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2015; 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 SPECIAL FUNDS OF THE STATE; REPROGRAMMING CERTAIN FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN STATUTORY PROVISIONS.

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

1 **Section 1. Fiscal Year ~~2014~~ 2015 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 Section and as
3 described in the Fiscal Year ~~2014~~ 2015 Governor's Recommended Capital Budget and Project Information document. Any
4 authorization balance (excluding Transportation Trust Fund balances) remaining unexpended or unencumbered by June 30,
5 ~~2016~~ 2017, shall be subject to reversion or reauthorization.

SECTION 1 ADDENDUM
FISCAL YEAR 2015 CAPITAL IMPROVEMENT PROJECT SCHEDULE

AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
LEGISLATIVE						
LIS Upgrade	01-08-02	\$ -	\$ 900,000	\$ -	\$ -	\$ 900,000
Subtotal:		\$ -	\$ 900,000	\$ -	\$ -	\$ 900,000
OFFICE OF MANAGEMENT AND BUDGET						
Minor Capital Improvement and Equipment	10-02-50	\$ 3,742,770	\$ 130,100	\$ -	\$ -	\$ 3,872,870
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	3,000,000	-	-	-	3,000,000
Capital Complex Exterior Lighting Upgrades	10-02-50	-	750,000	-	-	750,000
Delaware State Police Indoor Firing Range Roof	10-02-50	-	600,000	-	-	600,000
<i>Judicial Project</i>						
Minor Capital Improvement and Equipment	10-02-50	705,000	-	-	-	705,000
<i>State Projects</i>						
Minor Capital Improvement and Equipment	10-02-50	750,000	-	-	-	750,000
Minor Capital Improvement and Equipment - Veterans Home	10-02-50	50,000	-	-	-	50,000
Kirk and Short Buildings Exterior Conservation - Phase 2	10-02-50	608,000	-	-	-	608,000
<i>Health and Social Services Projects</i>						
Minor Capital Improvement and Equipment	10-02-50	6,000,000	-	-	-	6,000,000
Roof Replacement/Repair	10-02-50	3,400,000	-	-	-	3,400,000
DHCI Emergency Generator and EPBH Electrical System Replacement	10-02-50	-	1,798,000	-	-	1,798,000
DACSES Replacement and Equipment	10-02-05	-	1,949,900	-	-	1,949,900
Delaware Medicaid Enterprise System	10-02-05	-	750,000	-	-	750,000
Delaware Client Information System Eligibility Modernization Project	10-02-05	16,461,600	-	-	-	16,461,600
<i>Services for Children, Youth and Their Families Projects</i>						
Generator Replacements	10-02-50	-	1,836,000	-	-	1,836,000
Minor Capital Improvement and Equipment	10-02-50	1,500,000	-	-	-	1,500,000
<i>Correction Projects</i>						
Minor Capital Improvement and Equipment	10-02-50	3,183,250	-	-	-	3,183,250
Prison Facilities Roof Replacement and Renovation	10-02-50	5,800,000	-	-	-	5,800,000
<i>Safety and Homeland Security Projects</i>						
Minor Capital Improvement and Equipment	10-02-50	600,000	-	-	-	600,000
AFIS Upgrade	10-02-05	-	2,636,000	-	-	2,636,000
<i>Delaware National Guard Project</i>						
Minor Capital Improvement and Equipment	10-02-50	850,000	-	-	-	850,000
Subtotal:		\$ 46,650,620	\$ 10,450,000	\$ -	\$ 490,300	\$ 57,590,920

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AGENCY/PROJECT	INTERNAL PROGRAM UNIT	BOND AUTHOR- IZATIONS	REAUTHORIZA- TION AND REPRO- GRAMMING	TRANSPORTATION TRUST FUNDS	GENERAL FUNDS	TOTAL
DELAWARE ECONOMIC DEVELOPMENT OFFICE						
Delaware Strategic Fund	10-03-03	\$ -	\$ 3,000,000	\$ -	\$ 23,000,000	\$ 26,000,000
Delaware Cyber Initiative	10-03-03	-	-	-	3,000,000	3,000,000
Federal Research and Development Matching Grant Program	10-03-03	-	-	-	2,000,000	2,000,000
Diamond State Port Corporation	10-03-03	8,000,000	-	-	2,000,000	10,000,000
Riverfront Development Corporation	10-03-03	-	-	-	3,150,000	3,150,000
Subtotal:		\$ 8,000,000	\$ 3,000,000	\$ -	\$ 33,150,000	\$ 44,150,000
DELAWARE STATE HOUSING AUTHORITY						
Housing Development Fund - Affordable Rental Housing Program	10-08-01	\$ 6,000,000	\$ -	\$ -	\$ -	\$ 6,000,000
Urban Redevelopment	10-08-01	7,000,000	-	-	-	7,000,000
Subtotal:		\$ 13,000,000	\$ -	\$ -	\$ -	\$ 13,000,000
STATE						
Museum Maintenance	20-06-01	\$ -	\$ -	\$ -	\$ 450,000	\$ 450,000
Lewes Public Library	20-08-01	2,000,000	-	-	-	2,000,000
Delmar Public Library	20-08-01	575,000	-	-	-	575,000
Route 9/13 (Garfield Park) Public Library	20-08-01	1,413,000	-	-	-	1,413,000
Harrington Public Library	20-08-01	250,000	-	-	-	250,000
Subtotal:		\$ 4,238,000	\$ -	\$ -	\$ 450,000	\$ 4,688,000
HEALTH AND SOCIAL SERVICES						
Maintenance and Restoration	35-01-30	\$ 3,750,000	\$ -	\$ -	\$ -	\$ 3,750,000
Subtotal:		\$ 3,750,000	\$ -	\$ -	\$ -	\$ 3,750,000
SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES						
Maintenance and Restoration	37-01-15	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000
Subtotal:		\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000
CORRECTION						
Maintenance and Restoration	38-01-40	\$ 3,135,400	\$ -	\$ -	\$ -	\$ 3,135,400
Subtotal:		\$ 3,135,400	\$ -	\$ -	\$ -	\$ 3,135,400

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NATURAL RESOURCES AND ENVIRONMENTAL CONTROL						
High Hazard Dam and Dike Repair/Replacement	40-03-04	\$ 1,900,000	\$ -	\$ -	\$ -	\$ 1,900,000
Park and Wildlife Area Rehabilitation/Critical Facilities	40-03-02	3,500,000	-	-	-	3,500,000
Shoreline and Waterway Management	40-03-04	-	-	-	1,140,500	1,140,500
Tax Ditches	40-03-04	-	-	-	1,148,700	1,148,700
Statewide Trails and Pathways	40-03-02	2,700,000	-	-	-	2,700,000
Redevelopment of Strategic Sites (NVF/Fort DuPont)	40-03-02	-	2,900,000	-	-	2,900,000
Delaware Bayshore Initiative	40-01-01	-	-	-	500,000	500,000
Critical Equipment for Operations	40-01-01	-	-	-	740,000	740,000
Owens Station	40-03-03	-	750,000	-	-	750,000
Subtotal:		\$ 8,100,000	\$ 3,650,000	\$ -	\$ 3,529,200	\$ 15,279,200
TRANSPORTATION						
Road System	55-05-00	\$ -	\$ -	\$ 164,122,618	\$ -	\$ 164,122,618
Grants and Allocations	55-05-00	-	-	13,375,000	-	13,375,000
Transit System	55-05-00	-	-	4,402,200	-	4,402,200
Support System	55-05-00	-	-	25,497,648	-	25,497,648
Subtotal:		\$ -	\$ -	\$ 207,397,466	\$ -	\$ 207,397,466
FIRE PREVENTION COMMISSION						
Hydraulic Rescue Tools Replacement	75-02-01	\$ -	\$ -	\$ -	\$ 30,000	\$ 30,000
Subtotal:		\$ -	\$ -	\$ -	\$ 30,000	\$ 30,000
DELAWARE NATIONAL GUARD						
198th Regiment Readiness Center Renovation	76-01-01	\$ 1,650,000	\$ -	\$ -	\$ -	\$ 1,650,000
Subtotal:		\$ 1,650,000	\$ -	\$ -	\$ -	\$ 1,650,000
UNIVERSITY OF DELAWARE						
Laboratories	90-01-01	\$ 5,500,000	\$ -	\$ -	\$ -	\$ 5,500,000
Subtotal:		\$ 5,500,000	\$ -	\$ -	\$ -	\$ 5,500,000
DELAWARE STATE UNIVERSITY						
Minor Capital Improvement and Equipment	90-03-01	\$ 5,500,000	\$ -	\$ -	\$ -	\$ 5,500,000
Subtotal:		\$ 5,500,000	\$ -	\$ -	\$ -	\$ 5,500,000

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DELAWARE TECHNICAL AND COMMUNITY COLLEGE						
Collegewide Asset Preservation/MCI	90-04-01	\$ 250,000	\$ -	\$ -	\$ -	250,000
Excellence Through Technology	90-04-01	450,000	-	-	-	450,000
Arts and Sciences Building Expansion (Owens Campus)	90-04-02	1,500,000	-	-	-	1,500,000
Student Services Building (Terry Campus)	90-04-06	250,000	-	-	-	250,000
East Building Expansion (Wilmington Campus)	90-04-05	250,000	-	-	-	250,000
Campus Improvements (Owens Campus)	90-04-02	700,000	-	-	-	700,000
Campus Improvements (Terry Campus)	90-04-06	700,000	-	-	-	700,000
Campus Improvements (Stanton and Wilmington Campuses)	90-04-05	1,400,000	-	-	-	1,400,000
Subtotal:		\$ 5,500,000	\$ -	\$ -	\$ -	5,500,000
EDUCATION						
Minor Capital Improvement and Equipment	95-01-01	\$ 10,893,200	\$ -	\$ -	\$ -	10,893,200
Architectural Barrier Removal	95-01-01	30,943	129,057	-	-	160,000
Laurel, Construct 1,200 Student Combined ES (76/24)	95-16-00	13,258,300	-	-	-	13,258,300
Laurel, Selected Demo/Renovate MS (76/24)	95-16-00	1,926,200	-	-	-	1,926,200
Red Clay, Renovate Brandywine Springs ES (60/40)	95-32-00	4,902,100	-	-	-	4,902,100
Red Clay, Renovate Forest Oak ES (60/40)	95-32-00	1,168,000	-	-	-	1,168,000
Red Clay, Renovate Linden Hill ES (60/40)	95-32-00	616,000	-	-	-	616,000
Red Clay, Renovate Marbrook ES (60/40)	95-32-00	678,500	-	-	-	678,500
Red Clay, Renovate Mote ES (60/40)	95-32-00	199,100	-	-	-	199,100
Red Clay, Renovate Richardson Park ES (60/40)	95-32-00	2,414,000	-	-	-	2,414,000
Red Clay, Renovate Richey ES (60/40)	95-32-00	298,300	-	-	-	298,300
Red Clay, Renovate Shortlidge ES (60/40)	95-32-00	636,200	-	-	-	636,200
Red Clay, Renovate Warner ES (60/40)	95-32-00	2,746,400	-	-	-	2,746,400
Red Clay, Renovate A.I. DuPont MS (60/40)	95-32-00	6,496,500	-	-	-	6,496,500
Red Clay, Renovate Conrad MS (60/40)	95-32-00	1,772,600	-	-	-	1,772,600
Red Clay, Renovate Stanton MS (60/40)	95-32-00	-	3,539,600	-	-	3,539,600
Red Clay, Renovate Dickinson HS (60/40)	95-32-00	7,386,300	-	-	-	7,386,300
Red Clay, Construct 600 Student ES (60/40)	95-32-00	4,818,700	-	-	-	4,818,700
Capital, Renovate Booker T. Washington ES KCCS (100% State)	95-13-00	7,639,137	-	-	-	7,639,137
Indian River, Additions and Renovations to Georgetown ES/MS Complex (60/40)	95-36-00	1,749,000	-	-	-	1,749,000
Indian River, Additions and Renovations to East Millsboro ES (60/40)	95-36-00	888,000	-	-	-	888,000
Indian River, Additions and Renovations to Phillip Showell ES (60/40)	95-36-00	636,000	-	-	-	636,000
Indian River, Additions and Renovations to Selbyville MS (60/40)	95-36-00	342,000	-	-	-	342,000

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EDUCATION (continued)						
Cape Henlopen, Construct 720 Student ES (60/40)	95-17-00	331,900	-	-	-	331,900
Cape Henlopen, Land Acquisition for 720 Student ES (60/40)	95-17-00	1,575,000	-	-	-	1,575,000
Cape Henlopen, Sussex Consortium Additions to Beacon MS (100% State)	95-17-00	535,000	-	-	-	535,000
Cape Henlopen, Additions to Beacon MS (60/40)	95-17-00	65,000	-	-	-	65,000
Cape Henlopen, Additions to Mariner MS (60/40)	95-17-00	-	32,500	-	-	32,500
Milford, Construct 1,200 Student MS (71/29)	95-18-00	2,980,500	-	-	-	2,980,500
NCC VoTech, Replace Roof at Hodgson HS (64/36)	95-38-00	2,903,500	-	-	-	2,903,500
NCC VoTech, Replace Roof at DelCastle HS (64/36)	95-38-00	3,337,100	-	-	-	3,337,100
Lake Forest, Renovate Lake Forest HS (66/34)	95-15-00	1,115,900	-	-	-	1,115,900
Lake Forest, Renovate W.T. Chipman MS (66/34)	95-15-00	22,500	-	-	-	22,500
Lake Forest, Renovate Central ES (66/34)	95-15-00	16,600	-	-	-	16,600
Lake Forest, Renovate South ES (66/34)	95-15-00	-	17,000	-	-	17,000
Lake Forest, Renovate East ES (66/34)	95-15-00	-	95,200	-	-	95,200
Lake Forest, Renovate North ES (66/34)	95-15-00	-	97,400	-	-	97,400
Polytech, Renovate Polytech HS (65/35)	95-39-00	1,820,000	-	-	-	1,820,000
Smyrna, Renovate Smyrna ES (67/33)	95-24-00	1,005,000	-	-	-	1,005,000
Smyrna, Renovate Clayton ES (67/33)	95-24-00	335,000	-	-	-	335,000
Smyrna, Renovate North Smyrna ES (67/33)	95-24-00	335,000	-	-	-	335,000
Smyrna, Renovate John Bassett Moore IS (67/33)	95-24-00	167,500	-	-	-	167,500
Smyrna, Renovate Thomas D. Clayton Administration Building (67/33)	95-24-00	670,000	-	-	-	670,000
Subtotal:		\$ 88,710,980	\$ 3,910,757	\$ -	\$ -	\$ 92,621,737
GRAND TOTAL:		\$ 193,935,000	\$ 21,910,757	\$ 207,397,466	\$ 37,649,500	\$ 460,892,723

1 **Section 2. Authorization of Twenty-Year Bonds.** The State hereby authorizes the issuance of bonds, to
 2 which the State 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 ~~\$187,025,000~~ \$193,935,000 and in the amount of ~~\$36,503,500~~
 4 \$41,300,100 local share of school bonds. Bonds authorized to be used by this Section shall mature not later than 20
 5 years from their 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 as follows:

7 Department, Agency or Instrumentality	Amount
8 Office of Management and Budget	\$41,502,800 <u>\$46,650,620</u>
9 <u>Delaware Economic Development Office</u>	8,000,000
10 Delaware State Housing Authority	6,000,000 <u>13,000,000</u>
11 State	7,210,000 <u>4,238,000</u>
12 Health and Social Services	3,750,000
13 Services for Children, Youth and Their Families	200,000
14 Correction	3,135,400
15 Natural Resources and Environmental Control	10,710,200 <u>8,100,000</u>
16 <u>Delaware National Guard</u>	1,650,000
17 University of Delaware	4,000,000 <u>5,500,000</u>
18 Delaware State University	4,000,000 <u>5,500,000</u>
19 Delaware Technical and Community College	4,000,000 <u>5,500,000</u>
20 Education	102,516,600 <u>88,710,980</u>

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

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

Purpose	State Share	Maximum Local Share	Total Cost
Minor Capital Improvement and Equipment	\$10,893,200		\$10,893,200
Architectural Barrier Removal	30,943		30,943
Laurel, Construct 1,200 Student Combined ES (76/24)	13,258,300	4,186,800	17,445,100
Laurel, Selected Demo/Renovate MS (76/24)	1,926,200	608,300	2,534,500
Red Clay, Renovate Brandywine Springs ES (60/40)	4,902,100	3,268,100	8,170,200
Red Clay, Renovate Forest Oak ES (60/40)	1,168,000	778,700	1,946,700

1	<u>Red Clay, Renovate Linden Hill ES (60/40)</u>	616,000	410,700	1,026,700
2	<u>Red Clay, Renovate Marbrook ES (60/40)</u>	678,500	452,300	1,130,800
3	<u>Red Clay, Renovate Mote ES (60/40)</u>	199,100	132,700	331,800
4	<u>Red Clay, Renovate Richardson Park ES (60/40)</u>	2,414,000	1,609,300	4,023,300
5	<u>Red Clay, Renovate Richey ES (60/40)</u>	298,300	198,900	497,200
6	<u>Red Clay, Renovate Shortlidge ES (60/40)</u>	636,200	424,200	1,060,400
7	<u>Red Clay, Renovate Warner ES (60/40)</u>	2,746,400	1,830,900	4,577,300
8	<u>Red Clay, Renovate A.I. DuPont MS (60/40)</u>	6,496,500	4,331,000	10,827,500
9	<u>Red Clay, Renovate Conrad MS (60/40)</u>	1,772,600	1,181,700	2,954,300
10	<u>Red Clay, Renovate Stanton MS (60/40)</u>		2,359,700	2,359,700
11	<u>Red Clay, Renovate Dickinson HS (60/40)</u>	7,386,300	4,924,200	12,310,500
12	<u>Red Clay, Construct 600 Student ES (60/40)</u>	4,818,700	3,212,500	8,031,200
13	<u>Capital, Renovate Booker T. Washington ES</u>			
14	<u>KCCS (100% State)</u>	7,639,137		7,639,137
15	<u>Indian River, Additions and Renovations to Georgetown</u>			
16	<u>ES/MS Complex (60/40)</u>	1,749,000	1,166,000	2,915,000
17	<u>Indian River, Additions and Renovations to</u>			
18	<u>East Millsboro ES (60/40)</u>	888,000	587,700	1,475,700
19	<u>Indian River, Additions and Renovations to</u>			
20	<u>Phillip Showell ES (60/40)</u>	636,000	424,000	1,060,000
21	<u>Indian River, Additions and Renovations to</u>			
22	<u>Selbyville MS (60/40)</u>	342,000	228,000	570,000
23	<u>Cape Henlopen, Construct 720 Student ES (60/40)</u>	331,900	221,300	553,200
24	<u>Cape Henlopen, Land Acquisition for</u>			
25	<u>720 Student ES (60/40)</u>	1,575,000	1,050,000	2,625,000
26	<u>Cape Henlopen, Sussex Consortium Additions to</u>			
27	<u>Beacon MS (100% State)</u>	535,000		535,000
28	<u>Cape Henlopen, Additions to Beacon MS (60/40)</u>	65,000	43,200	108,200
29	<u>Cape Henlopen, Additions to Mariner MS (60/40)</u>		21,700	21,700
30	<u>Milford, Construct 1,200 Student MS (71/29)</u>	2,980,500	1,217,400	4,197,900
31	<u>NCC VoTech, Replace Roof at Hodgson HS (64/36)</u>	2,903,500	1,633,200	4,536,700

1	<u>NCC VoTech, Replace Roof at DelCastle HS (64/36)</u>	<u>3,337,100</u>	<u>1,877,100</u>	<u>5,214,200</u>
2	<u>Lake Forest, Renovate Lake Forest HS (66/34)</u>	<u>1,115,900</u>	<u>574,900</u>	<u>1,690,800</u>
3	<u>Lake Forest, Renovate W.T. Chipman MS (66/34)</u>	<u>22,500</u>	<u>11,600</u>	<u>34,100</u>
4	<u>Lake Forest, Renovate Central ES (66/34)</u>	<u>16,600</u>	<u>8,600</u>	<u>25,200</u>
5	<u>Lake Forest, Renovate South ES (66/34)</u>		<u>8,700</u>	<u>8,700</u>
6	<u>Lake Forest, Renovate East ES (66/34)</u>		<u>49,000</u>	<u>49,000</u>
7	<u>Lake Forest, Renovate North ES (66/34)</u>		<u>50,200</u>	<u>50,200</u>
8	<u>Polytech, Renovate Polytech HS (65/35)</u>	<u>1,820,000</u>	<u>980,000</u>	<u>2,800,000</u>
9	<u>Smyrna, Renovate Smyrna ES (67/33)</u>	<u>1,005,000</u>	<u>495,000</u>	<u>1,500,000</u>
10	<u>Smyrna, Renovate Clayton ES (67/33)</u>	<u>335,000</u>	<u>165,000</u>	<u>500,000</u>
11	<u>Smyrna, Renovate North Smyrna ES (67/33)</u>	<u>335,000</u>	<u>165,000</u>	<u>500,000</u>
12	<u>Smyrna, Renovate John Bassett Moore IS (67/33)</u>	<u>167,500</u>	<u>82,500</u>	<u>250,000</u>
13	<u>Smyrna, Renovate Thomas D. Clayton</u>			
14	<u>Administration Building (67/33)</u>	<u>670,000</u>	<u>330,000</u>	<u>1,000,000</u>
15	<u>Subtotal</u>	<u>\$88,710,980</u>	<u>\$41,300,100</u>	<u>\$130,011,080</u>
16			<u>TOTAL</u>	<u>\$193,935,000</u>

17 **Section 3. Appropriation of General Funds.** It is the intent of the General Assembly that ~~\$59,041,000~~
18 ~~\$37,649,500~~ be appropriated to the following departments of the State and in the following amount for the
19 purposes set forth in the Section 1 Addendum of this Act. Any funds remaining unexpended or unencumbered by
20 June 30, ~~2016~~ 2017, shall revert to the General Fund of the State of Delaware.

21	Department, Agency or Instrumentality	Amount
22	Office of Management and Budget	\$3,903,374 <u>\$490,300</u>
23	Delaware Economic Development Office	30,650,000 <u>33,150,000</u>
24	State	295,000 <u>450,000</u>
25	State	9,000,000
26	Natural Resources and Environmental Control	12,160,126 <u>3,529,200</u>
27	Safety and Homeland Security	2,980,000

1	Fire Prevention Commission	52,500	<u>30,000</u>
2		TOTAL	\$59,041,000 <u>\$37,649,500</u>

3 **Section 4. Appropriation of Bond Premium.** Notwithstanding the provisions of 29 Del. C. § 7414(a), of
4 the available premium from bonds or revenue notes sold after January 1, 2004, ~~\$22,669,127.07~~ \$15,000,000 shall be
5 used in the following amount for the purpose set forth in the Section 1 Addendum to this Act:

6	Department, Agency or Instrumentality	Amount	
7	Legislative		
8	LIS Upgrade		\$900,000
9	Office of Management and Budget		
10	DelDOT General/Special Fund Transfer		\$ 2,560,000.00
11	Legislative Project		
12	(LIS Upgrade)		2,500,000.00
13	Minor Capital Improvement and Equipment		130,100
14	Capital Complex Exterior Lighting Upgrades		750,000
15	Delaware State Police Indoor Firing Range Roof		600,000
16	Health and Social Services		
17	Minor Capital Improvement and Equipment		3,499,400.00
18	DHCI Emergency Generator and EPBH Electrical System Replacement		1,798,000
19	DACSES Replacement and Equipment		1,949,900
20	Delaware Medicaid Enterprise System		750,000
21	Services for Children, Youth and Their Families		
22	Roof Renovations		2,400,000.00
23	Generator Replacements		1,836,000
24	Safety and Homeland Security		
25	New Castle County Law Enforcement Firing Range		200,000.00
26	AFIS Upgrade		2,636,000
27	Delaware National Guard		
28	Minor Capital Improvement and Equipment		1,000,000.07
29	Delaware Economic Development Office		
30	Diamond State Port		8,000,000.00
31	Natural Resources and Environmental Control		
32	High Hazard Dam and Dike Repair/Replacement		834,800.00
33	Park and Wildlife Area Rehabilitation/Critical Facilities		470,000.00
34	Fort Miles Museum		214,074.00
35	Redevelopment of Strategic Sites (NVF/Fort DuPont)		2,900,000
36	Owens Station		750,000
37	Education		
38	Milford, Milford HS Agricultural Barn		175,000.00
39	Appoquinimink, Silver Lake ES Roof MCI (60/40)		815,853.00
40		TOTAL	\$ 22,669,127.07 <u>\$15,000,000</u>

41 **Section 5. General Fund Reprogramming.** (a) Notwithstanding the provisions of any other state law, the
42 General Assembly hereby directs the State Treasurer to deauthorize the remaining appropriation balances, not in

1 excess of the balances below from the following General Fund projects and reauthorizes the funds to the departments
 2 listed in subsection (b) of this section, according to the purposes in the Section 1 Addendum to this Act.

3	Department, Agency or Instrumentality	Appropriation Code	Amount
4	Delaware Economic Development Office		
5	Dover Civic Center	1999-10-03-03-10067	\$ 602,098.23
6	Delaware Civic Center	2005-10-03-03-10068	300,000.00
7	<u>Finance</u>		
8	<u>Video Lottery</u>	<u>2014-25-07-01-10244</u>	<u>\$3,000,000</u>
9	<u>Education</u>		
10	<u>Minor Capital Improvement</u>		
11	<u>and Equipment</u>	<u>2002-95-01-01-10017</u>	<u>242,100</u>
12		TOTAL	\$ 902,098.23 <u>\$3,242,100</u>

13 (b) Department, Agency or Instrumentality Amount

14	Delaware Economic Development Office		
15	Kent County Sports Complex		\$ 902,098.23
16	Delaware Strategic Fund		\$3,000,000
17	<u>Education</u>		
18	<u>Cape Henlopen, Additions to Mariner MS (60/40)</u>		<u>32,500</u>
19	<u>Lake Forest, Renovate South ES (66/34)</u>		<u>17,000</u>
20	<u>Lake Forest, Renovate East ES (66/34)</u>		<u>95,200</u>
21	<u>Lake Forest, Renovate North ES (66/34)</u>		<u>97,400</u>
22		TOTAL	\$ 902,098.23 <u>\$3,242,100</u>

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

27	Department, Agency or Instrumentality	Appropriation Code	Amount
28	<u>Office of Management and Budget</u>		
29	<u>K-12 School Construction</u>	<u>2013-10-02-11-25099</u>	<u>\$3,608,329.24</u>

1	<u>Department of Education</u>		
2	Minor Capital Improvement	2014-95-01-01-20060	60,327.41
3		<u>TOTAL</u>	<u>\$3,668,656.65</u>

4 (b) Department, Agency or Instrumentality Amount

5	<u>Department of Education</u>		
6	Architectural Barrier		\$129,056.65
7	Red Clay, Renovate Stanton MS (60/40)		3,539,600.00
8		<u>TOTAL</u>	<u>\$3,668,656.65</u>

9 **Section 7. Continuing Appropriations.** For the fiscal year ending June 30, ~~2013~~ 2014, any sums in the
10 following accounts shall remain as continuing appropriations and shall not be subject to reversion until June 30, ~~2014~~
11 2015.

12	Fiscal Year	Appropriation	Remarks
13	<u>2009/12</u>	10-02-05-10004	Technology Fund
14	2009	10-02-05-50006	800 MHZ
15	2007	10-02-06-50014	Advanced Planning
16	<u>2012</u>	10-02-11-50369	<u>New Jobs Infrastructure</u>
17	<u>2012</u>	10-02-50-10017	<u>MCI/OMB</u>
18	<u>2011/12</u>	10-02-50-10020	MCI/Judicial
19	<u>2011/12</u>	10-02-50-10023	MCI/DHSS
20	<u>2011/12</u>	10-02-50-10025	MCI/DSHS
21	<u>2012</u>	10-02-50-10026	<u>MCI/State</u>
22	<u>2011/12</u>	10-02-50-10027	MCI/DSCYF
23	<u>2011/12</u>	10-02-50-10031	MCI/Correction
24	2011 <u>2012</u>	10-02-50-10040	Environmental Compliance
25	2011	10-02-50-10041	Architectural Barrier
26	2009	10-02-50-10048	Psych Hosp Def Maint
27	2011	10-02-50-10051	Veterans Home
28	2011	10-02-50-10228	Local Law Enforcement
29	<u>2012</u>	10-02-50-10911	<u>Troop 7, Lewes</u>
30	2006	10-02-50-50027	Capital Parking/Security
31	2003/11	10-02-50-50044	Correction MCI/Equipment
32	2011	10-02-50-50045	DPC Roof Replacement
33	2006	10-02-50-50071	Howard R. Young Center
34	2009/2011/12	10-02-50-50076	Kent County Courthouse
35	<u>2012</u>	10-02-50-50077	<u>Kent County Courthouse</u>
36	2011	10-02-50-50239	HRYCI Masonry Restoration
37	2007	10-02-50-50241	Stockley Medical Center
38	<u>2011/12</u>	10-02-50-50247	<u>New Kitchen at HRYCI</u>
39	2011	10-02-50-50249	MCI National Guard
40	2009	10-02-50-50309	Starc Headquarters
41	2010/2011	10-02-50-50350	MCI & Equipment
42	<u>2012</u>	10-02-50-50362	<u>Roof Replacement - Correction</u>
43	<u>2012</u>	10-02-50-50363	<u>Troop 3, Camden</u>

1	<u>2012</u>	10-02-50-50370	Roof Replacement - DHSS
2	<u>2012</u>	10-02-50-50371	Training/Firearms Range
3	<u>2012</u>	10-02-50-50372	SCCH Roof Replacement
4	1999	10-03-03-10067	Dover Civic Center
5	2005	10-03-03-10068	Delaware Civic Center
6	2011	10-03-03-10102	Health Sciences Alliance
7	2002	12-05-03-10090	GF Cap Reprogramming
8	1994	12-05-03-50015	Agency Reversions
9	1994	12-05-03-50229	School Reversions
10	<u>2012</u>	15-01-01-10004	Technology
11	2010	20-08-01-50019	Bridgeville Library
12	2002	20-08-01-50065	Harrington Public Library
13	1996	20-08-01-50098	North Wilmington Library
14	2007	20-08-01-50101	NCC South
15	2009	20-08-01-50230	Seaford District Library
16	2008	20-08-01-50234	South Coastal Library
17	2011	20-08-01-50266	Claymont Branch Library
18	2010	20-08-01-50352	Georgetown Library
19	<u>2012</u>	20-08-01-50364	Duck Creek Library
20	2011	35-10-01-50048	DACSES Replacement
21	2011	37-01-50-10065	Family & Children Trac
22	2011	38-01-40-10118	Maintenance & Restoration
23	<u>2012</u>	40-01-01-10017	MCI
24	2006	40-01-01-10127	Energy Efficiency
25	<u>2012</u>	40-01-01-50367	State Bike Route
26	2008	40-01-06-10152	Combined Sewer Overflow
27	2006	40-03-02-50047	DE Seashore Facility Enhancements
28	<u>2012</u>	40-03-02-50366	Redevelopment/Strategies
29	2004/05	40-03-03-10129	Dams/Water Control
30	2006	40-03-04-10140	Little Mill Creek
31	2007	40-03-04-10147	Lewes Facil. Improveme
32	2003	40-03-04-50224	Resource Conserv & Dev
33	2010	55-05-00-95401	FHWA
34	2010	55-05-00-95402	FTA
35	2010	55-05-00-95403	Federal-Other
36	<u>2010/11/12</u>	55-05-00-95601	Grants & Allocations
37	<u>2010/11/12</u>	55-05-00-97301	Transit System
38	<u>2010/11/12</u>	55-05-00-97601	Support System
39	<u>2010/11/12</u>	55-05-00-97701	Road System
40	2010	55-05-00-97801	GARVEE Fund
41	2010	75-02-01-50053	Hydraulic Tools
42	2011	76-01-01-50268	New Dagsboro Readiness Center
43	2011	90-01-01-50269	Chrysler Site
44	2009 <u>2012</u>	90-03-01-10017	MCI
45	2010/11	90-03-01-50350	MCI & Equipment
46	<u>2012</u>	90-04-01-10211	Asset Preservation
47	<u>2012</u>	90-04-01-10212	Excellence Through Technology
48	2010/11	90-04-01-50354	College Asset Pres Pro
49	<u>2012</u>	90-04-02-10174	Campus Improvements
50	2011	90-04-02-50271	Owens Campus Improvements
51	2006	90-04-04-50235	Stanton Campus Expansion
52	<u>2012</u>	90-04-05-10174	Campus Improvements
53	2007/11	90-04-05-50235	Stanton Campus Expansion
54	2002/11	95-01-01-10017	MCI

1	2011	95-01-01-10041	Architectural Barrier
2	2008	95-10-00-50144	Ren Reily Brown ES
3	2011	95-10-00-50276	CR Renovate Alan Frear
4	2009	95-10-00-50326	Renovate/Add to McIlvane ES
5	2011/12	95-13-00-50285	Capital Construct New
6	2011	95-13-00-50294	Capital Maintenance
7	2011	95-13-00-50295	Capital Professional C
8	2012	95-13-00-50299	William Henry MS Campus
9	2012	95-13-00-50376	Construct Playgrounds BT
10			<u>Washington</u>
11	2010	95-15-00-50022	MCI
12	2010	95-15-00-50135	Ren Lake Forest HS
13	2008	95-15-00-50146	Renovate South ES
14	2012	95-16-00-50381	Construct Combined MS/HS
15	2012	95-17-00-50384	Renovate/Roof/HVAC - Frederick
16			<u>Thomas Bldg</u>
17	2011	95-18-00-50139	Renovate Milford HS
18	2011	95-23-00-50280	Seaford Orthopedic HC Wing
19	2010	95-24-00-50113	Renovate Smyrna HS
20	2007	95-24-00-50263	Construct 600 Pupil ES
21	2010/11	95-24-00-50297	Construct 600 Pupil IS
22	2012	95-24-00-50359	Site Work Clayton ES
23	2012	95-29-00-50000	Renovate Townsend ES
24	2011	95-29-00-50032	Const Early Childhood Center
25	2011 2012	95-29-00-50041	Construct 840 Pupil ES
26	2010	95-29-00-50329	Ren & Add Middletown H
27	2010/11	95-29-00-50336	Renovate Cedar Lane ES
28	2012	95-29-00-50375	Renovate/Addition Olive B Loss ES
29	2009	95-31-00-10017	MCI
30	2010	95-31-00-50022	MCI
31	2008	95-31-00-50039	Construct 600 Pupil ES
32	2010	95-31-00-50053	Harlan ES
33	2008	95-31-00-50127	Renovate Hanby MS
34	2007	95-31-00-50176	Renovate District Offices
35	2005	95-31-00-50213	Renovate Talley MS
36	2011	95-31-00-50274	Brandywine Construct O
37	2010	95-31-00-50284	Construct 66000 Sq Ft
38	2011	95-31-00-50298	Brandywine Replace Bra
39	2009	95-31-00-50327	New Transportation Fac
40	2010	95-31-00-50357	Demolish Bush School
41	2010	95-31-00-50358	Trans Fac (Local Only)
42	2007	95-32-00-50128	Renovate HB Dupont MS
43	2006	95-33-00-50040	Construct 800 Pupil MS
44	2006	95-33-00-50104	New MS
45	2005	95-33-00-50169	Renovate Bancroft IS
46	2006	95-33-00-50174	Renovate Christiana HS
47	2006	95-33-00-50197	Renovate Maclary ES
48	2008	95-33-00-50322	Porter Road
49	2009/10	95-33-00-50330	Restart Porter Road ES
50	2008	95-34-00-50124	George Reed MS
51	2009	95-34-00-50152	Ren William Penn HS
52	2010	95-34-00-50342	Renovate Castle Hills
53	2012	95-35-00-50383	Construct 700 Pupil HS
54	2012	95-38-00-50385	Renovate Howard HS

1	<u>2012</u>	95-38-00-50386	<u>Fit-Out Aud St Georges HS</u>
2	<u>2012</u>	95-39-00-50391	<u>Renovate/Addition Polytech HS</u>
3	<u>2012</u>	95-40-00-50283	<u>Renovate Sussex Tech HS</u>
4	<u>2012</u>	95-40-00-50387	<u>Ren Site/Bus Ent Sussex Tech HS</u>
5	<u>2012</u>	95-40-00-50388	<u>Renovate HVAC Sussex Tech HS</u>
6	2007/08/2010	95-51-00-50240	Replace Sterck
7	2009	95-51-00-50328	Sterck School
8	2010	95-53-00-50348	Renovate John G. Leach
9	2010	95-67-00-50022	MCI
10	2010	95-75-00-50022	MCI
11	2010	95-79-00-50022	MCI
12	2010	95-82-00-50022	MCI

13 **Section 8. Abandoned Property.** For the fiscal year ending June 30, 2015, 29 Del. C. § 6102(s) shall be
14 waived.

15 **Section 9. Prefatory Language.** This Act has been prepared in conformance with 78 Del. Laws, c. 90. For
16 all sections with the exception of Section 1 Addendum, all comparisons to the previous year's Budget Act are shown
17 noting insertions by underlining and deletions by strike through.

18 **Section 10. Open Space Funding.** Notwithstanding the provisions of 30 Del. C. § 5423(b)(2) and §
19 5423(c)(1), on or before December 15, ~~2013~~ 2014, the State shall transfer ~~\$6,000,000~~ \$2,000,000 of realty transfer
20 taxes to the Project Account in the Delaware Land and Water Conservation Trust Fund.

21 **Section 11. Farmland Preservation Funding.** Notwithstanding the provisions of 30 Del. C. § 5426 for the
22 fiscal year ending June 30, ~~2014~~ 2015, the State shall transfer ~~\$6,000,000~~ \$2,000,000 of realty transfer taxes to the
23 Farmland Preservation Fund maintained under 3 Del. C. § 905(a).

24 **Section 12. Energy Efficiency Investment Fund.** Notwithstanding the provisions of 30 Del. C. § 5502(f),
25 for the fiscal year ending June 30, ~~2014~~ 2015, the State shall transfer \$3,400,000 to the Energy Efficiency Investment
26 Fund as established by 29 Del. C. § 8030.

27 **Section 13. Conservation Districts - Federal Acquisition Regulations.** Conservation Districts shall not be
28 required to follow the provisions of the Federal Acquisition Regulations unless specifically required under a
29 contract(s) with a federal agency or federal grant. If the Conservation Districts are required to follow subpart 31.2 of
30 the Federal Acquisition Regulations, then the Conservation Districts are hereby authorized to charge an additional 10
31 percent to their overhead cost rate to enable the Conservation Districts to continue to fulfill their statutory duties and
32 responsibilities.

1 **Section 14. First State Preservation Revolving Fund, Inc.** For Fiscal Year ~~2014~~ 2015, First State
2 Preservation Revolving Fund, Inc. may continue to expend, for administrative expenses, the interest generated by the
3 Community Redevelopment Fund appropriations of \$250,000 in each of Fiscal Years 1999 and 2000.

4 **Section 15. Downtown Milford Inc.** Any Community Redevelopment Fund appropriations to Downtown
5 Milford Inc. - Structural and Façade Improvements may be used for private businesses and residences, as well as
6 institutional residences provided said properties are within the Downtown Milford project area.

7 **Section 16. Laurel Redevelopment Corporation.** Any proceeds from the sale of property funded in whole
8 or in part from Community Redevelopment Fund grants to Laurel Redevelopment Corporation shall be reinvested in
9 redevelopment projects within the Town of Laurel.

10 **Section 17. Community Redevelopment Fund Match.** Notwithstanding the provisions of 29 Del. C. §
11 6102A, any unexpended Community Redevelopment Funds awarded to the Hockessin Community Center in Fiscal
12 Years 2004 and 2005 shall not require a local match.

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

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

25 **Section 20. Bear Babe Ruth.** Notwithstanding any provision or requirement of the public trust doctrine or
26 10 Del. C. c. 62, and without the necessity of compliance therewith, New Castle County is hereby authorized to
27 transfer to Bear Babe Ruth all rights, title and interest in that certain tract, piece, parcel or parcels of land known as
28 Lot 3, Wrangle Hill Elementary School, containing 68.008 acres, more or less, and having Tax Parcel No. 12-013.00-

1 081, as were conveyed to New Castle County by deed of Premcor Refining Group Inc. (Premcor) dated March 12,
2 2007, or by any subsequent deed or consent executed by a successor or assign of Premcor, subject to the condition that
3 such property be used by Bear Babe Ruth for the sole purpose of establishing, operating and maintaining thereon a
4 public park for open space, park or outdoor recreational uses.

5 **Section 21. Escheat - Special Funds.** For Fiscal Year ~~2014~~ 2015, in which General Fund deposits equal
6 ~~\$514,000,000~~, \$554,000,000, the Secretary of Finance shall transfer any and all additional receipts received to a
7 holding account entitled "Escheat - Special Fund". The Joint Legislative Committee on the Capital Improvement
8 Program shall allocate these additional receipts as part of the Fiscal Year ~~2015~~ 2016 Joint Legislative Committee on
9 the Capital Improvement Act among the following funds:

- 10 (a) The K-12 Construction Fund;
- 11 (b) The Debt Reduction Fund; and
- 12 (c) The Other Post-Employment Benefits Fund as established by 29 Del. C. § 5281.

1 **OFFICE OF MANAGEMENT AND BUDGET**

2 **Section 22. Construction Management.** Notwithstanding any other state law, the Office of Management
3 and Budget (OMB) shall be responsible for the design and construction of all the projects listed under Office of
4 Management and Budget in the Section 1 Addendum of this Act. For those projects that are solely for the purchase of
5 equipment, including projects that are funded in any MCI and Equipment line or any MCI line, OMB shall transfer the
6 appropriate funding necessary to purchase the equipment to the agency for which the equipment is being purchased.
7 The appropriate amount of funding shall be determined and agreed to by OMB and the agency for which the
8 equipment is being purchased by September 1 of each fiscal year. For those projects for which the appropriation is
9 passed to an entity and for which the State is not a party to the construction contract, OMB shall provide technical
10 assistance.

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

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

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

26 (d) No project's budget should be increased beyond what is appropriated in any Bond and Capital
27 Improvements Act, either with special funds or private funds, unless the use of those funds is approved by the

1 appropriate cabinet secretary, the Director of the Office of Management and Budget, the Controller General and the
2 Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program.

3 **Section 23. Construction Manager.** It is the intent of the General Assembly that all public works projects,
4 including all public school projects, that utilize a construction manager on the project, utilize the delivery methodology
5 which requires the construction manager to secure a performance and payment bond for their portion of the work. All
6 subcontractors shall be listed at the start of the project and shall provide a performance and payment bond which
7 names the Construction Manager and the State of Delaware as additional insureds. All provisions of 29 Del. C. c. 69
8 are in effect for projects which utilize Construction Manager.

9 **Section 24. Judicial Construction Oversight.** It is the intent of the General Assembly that a nine-member
10 Executive Committee be created to oversee construction of new or major renovation of judicial facilities. The
11 Executive Committee shall include two members of the legislature appointed by the Co-Chairs of the Joint Legislative
12 Committee on the Capital Improvement Program; the respective Chairs of the House and Senate Judiciary
13 Committees; two members of the Judiciary as appointed by the Chief Justice; and three members of the Executive
14 Department to include the Director of Facilities Management, the Director of the Office of Management and Budget
15 and their designee. The Executive Committee shall work in conformation with existing construction oversight
16 guidelines as written in Section 22 of this Act. The Executive Committee is hereby empowered to:

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

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

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

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

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

27 **Section 25. Minor Capital Improvement and Equipment Supplement - Office of Management and**
28 **Budget.** Notwithstanding the provisions of any other state law to the contrary, not more than 5 percent of the total

1 amount allocated to the Office of Management and Budget’s MCI annual budget may be expended to enter into
2 contractual agreements for project representatives and associated administrative support to ensure adequate oversight
3 of state construction projects. The Director of the Office of Management and Budget is directed to provide an
4 itemized budget for this amount to the Controller General by August 1 of each fiscal year, and expenditure reports to
5 the Controller General by December 1 and June 1 of each fiscal year.

6 **Section 26. New Castle County Courthouse.** Notwithstanding any law or local government ordinance,
7 resolution or any deed restrictions to the contrary, the Director of the Office of Management and Budget shall
8 designate the name of any state-owned or state-operated courthouse or other judicial building or facility in New Castle
9 County purchased, constructed or improved by funds appropriated pursuant to an act of the General Assembly and
10 shall have the sole authority to approve or disapprove the placement of any statues or memorials in or on the grounds
11 of such courthouse or judicial building or facility.

12 **Section 27. Sale of Surplus Property.** Notwithstanding the provisions of any law to the contrary, the
13 Director of the Office of Management and Budget is authorized to solicit buyers, lessors or developers and negotiate
14 the sale, long or short-term lease, development or adaptation of the state-owned building and parking lot, commonly
15 known as the Bank of America Building and State Employee Workforce Education and Training Center, located on
16 the block bounded by French, 9th, 10th and Walnut Streets in Wilmington. Net proceeds resulting from a sale, lease,
17 development or reuse of the building and/or parking lot shall be deposited to the General Fund. The Director of the
18 Office of Management and Budget must receive approval from the Co-Chairs of the Joint Legislative Committee on
19 the Capital Improvement Program prior to executing an agreement of sale, lease, development or use of the building or
20 parking lot for other than state agencies. The Director of the Office of Management and Budget is authorized to solicit
21 buyers, lessors, developers and others who may enable the sale, development, lease or reuse of the property directly,
22 use public advertisement, auction, reverse auction, sealed bids or issue requests for information and requests for
23 proposals. During Fiscal Year ~~2014~~ 2015, the Director of the Office of Management and Budget may identify
24 additional state-owned real property that, with the concurrence of the Co-Chairs of the Joint Legislative Committee on
25 the Capital Improvement Program and the Controller General, may be sold, leased or developed pursuant to the
26 provisions of this section.

27 **Section 28. Card Access Security Systems.** Notwithstanding the provisions of any law to the contrary, the
28 Office of Management and Budget, Department of Safety and Homeland Security and the Department of Technology

1 and Information shall jointly develop and maintain specifications and standards for card access security systems for all
2 state facilities. Security system communications using state infrastructure will observe enterprise standards and
3 policies as defined by Department of Technology and Information pursuant to 29 Del. C. c. 90. The specifications and
4 standards shall enable a single-card security solution for all state-owned facilities, require the ability for concurrent
5 central and local administration of card access functions and shall include a registry of approved card readers and
6 associated hardware required to implement card access security systems. It is the intent of this section to authorize
7 Office of Management and Budget, Department of Safety and Homeland Security and Department of Technology and
8 Information to jointly select a single supplier, manufacturer or technology of access cards and security management
9 software for use by all state agencies. The Office of Management and Budget, Department of Safety and Homeland
10 Security and Department of Technology and Information shall develop procedures and standards required for the
11 evaluation and approval of agency requests for new or modified security systems of any type. Before a state agency
12 may install a new security system or modify an existing system, the agency shall obtain the approval of the Office of
13 Management and Budget, Department of Safety and Homeland Security and Department of Technology and
14 Information.

15 **Section 29. Employing Delawareans Reporting Requirement.** The Section 1 Addendum to 78 Del. Laws,
16 c. 76 makes the following appropriations from One-Time Special Funds: \$10,000,000 to the University of Delaware;
17 \$10,000,000 to Delaware State University; \$10,000,000 to Delaware Technical and Community College; \$10,000,000
18 to the Delaware State Housing Authority; \$55,000,000 to New Jobs Infrastructure; and \$35,000,000 in Asset
19 Preservation. Expenditure of said funds shall be subject to the following provisions:

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

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

1 disclose its reasonable, good-faith determination of the number and percentage of employees of such subcontractor
2 who are bona fide legal residents of the State.

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

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

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

1 **DELAWARE ECONOMIC DEVELOPMENT OFFICE**

2 **Section 30. Composites Research.** The Delaware Economic Development Office (DEDO) is authorized to
3 provide a match of up to \$100,000 to the University of Delaware Center for Composite Materials for federal research
4 grants received that support the development and application of composite manufacturing technology for the benefit
5 of Delaware companies. Such match shall be disbursed from the Delaware Strategic Fund upon documentation of the
6 receipt of federal funds allocated to the center during the fiscal year for these purposes and upon documentation of
7 the relevance of these research projects to Delaware industries' needs and their participation within said projects.

8 **Section 31. Kalmar Nyckel.** The scheduling of the Kalmar Nyckel by non-state entities shall require the
9 approval of the Riverfront Development Corporation. Further, the Riverfront Development Corporation is encouraged
10 to enter into negotiations with interested parties to review the disposition of loans to the Kalmar Nyckel.

11 **Section 32. Transportation Property Disposition.** The proceeds from the future sale of parcels of land the
12 Department of Transportation acquired on Beech Street in the City of Wilmington and Delmarva Properties located in
13 the Wilmington Riverfront area shall be deposited to the Transportation Trust Fund.

14 **Section 33. Council on Development Finance.** If DEDO makes an award not in agreement with the
15 recommendations of the Council on Development Finance, the Director of DEDO shall notify the Co-Chairs of the
16 Joint Legislative Committee on the Capital Improvement Program within 10 business days. The notification shall
17 include details of the actual award, the Council recommendations on the proposal and a justification for why DEDO
18 did not follow the recommendations of the Council.

19 **Section 34. New Markets Tax Credit Program.** In the event that the Director of DEDO and the Secretary
20 of Finance determine that it is advisable to apply for participation in the New Markets Tax Credit Program under the
21 U.S. Treasury Department, the Director is authorized to form a business entity or organization to apply for and manage
22 this program on behalf of the State, as required by applicable federal legislation and regulations. Any such application
23 for said program shall be subject to the approval of the Co-Chairs of the Joint Legislative Committee on the Capital
24 Improvement Program and the Delaware State Clearinghouse Committee. Should such application receive final
25 approval by the U.S. Treasury Department or other federal governmental entity charged with such authority, at least
26 one public hearing shall be held for the purpose of presenting the program, the availability of financial assistance and
27 the selection process.

1 **Section 35. Delaware Strategic Fund.** The Section 1 Addendum to this Act appropriates funds for the
2 Delaware Strategic Fund, included is \$1,000,000 for Fraunhofer Vaccine Development. It is the intent of the General
3 Assembly and the Administration that said funds represent the ~~third~~ fourth year of a six-year commitment by the
4 State of Delaware to leverage a 2:1 matching grant of \$12,000,000 from Fraunhofer USA.

5 In addition, the Section 1 Addendum to this Act appropriates funds for the Delaware Strategic Fund,
6 included is \$1,000,000 for the ~~fourth~~ first year of a five-year commitment to support IDeA Network of Biomedical
7 Research Excellence (INBRE)/University of Delaware, \$1,000,000 for the second year of a five-year commitment to
8 support Delaware Clinical and Translational Research (CTR)/University of Delaware and \$800,000 for the ~~first~~
9 second year of a five-year commitment to support Experimental Program to Stimulate Competitive Research-
10 Research Infrastructure Investment (EPSCoR-RII)/University of Delaware.

11 **Section 36. Delaware Cyber Initiative.** Section 1 Addendum to this Act appropriates \$3,000,000 for the
12 Delaware Cyber Initiative (DCI). This funding will accelerate the establishment of the DCI, provide a much needed
13 workforce for the many available jobs in this area, as well as provide a research location to attract top talent to
14 support the expansion of the State's current businesses. This funding will assist in the planning and design of the DCI
15 facility on the STAR campus, as well as other start-up costs. The DCI will be a continued partnership between the
16 State's higher education institutions (Delaware State University, Delaware Technical and Community College and the
17 University of Delaware), private sector partners and the State. Funding shall be transferred to the University of
18 Delaware.

19 **Section 37. Federal Research and Development Matching Grant Program.** Section 1 Addendum to this
20 Act appropriates \$2,000,000 to support federal research and development grants to Delaware institutions. The
21 program will be administered through the Vice Provost's Office at the University of Delaware. Funding requests will
22 be solicited yearly from the University of Delaware, Delaware State University and Delaware Technical and
23 Community College and reviewed by a committee consisting of two representatives from each institution and three
24 representatives of Delaware-based companies. The proposed work must complement and extend an on-going
25 federally funded project. Allowable budget categories include salaries and benefits for new graduate students and
26 post-doctoral students, supplies and expenses to support the research of these individuals and capital purchases for
27 equipment necessary to support the research activities. Requests are capped at \$100,000 per year.

1 **Section 38. Emerging Technology Center.** Notwithstanding any other law to the contrary, funds
2 appropriated to DEDO for the Delaware Emerging Technology Center (ETC), pursuant to 74 Del. Laws, c. 308 §
3 36(c), shall be expended by DEDO for the purpose of operating the ETC. Operating expenses may include, but are
4 not limited to: ETC software licensing agreements; Delaware sponsored ETC investor forums, businesses plan
5 competitions and conferences and marketing campaigns; and Intellectual Property Business Creation program
6 implementation initiatives.

7 **Section 39. Riverfront Development Corporation.** (a) Funds appropriated for the Riverfront
8 Development Corporation of Delaware (RDC) shall be disbursed to a special fund to be known as the Riverfront
9 Development Corporation Fund hereinafter referred to as the Fund.

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

12 (c) Funds appropriated to DEDO for RDC shall be expended only with the approval of the Board of
13 Directors of RDC. Funds may only be expended for activities related to the redevelopment of the Brandywine and
14 Christina riverfront areas, including: planning and design studies; the acquisition, construction and improvement of
15 real property; environmental remediation; costs of operations and administration; conversion of the Chase Center on
16 the Riverfront to a conference center; debt service; and other expenses in furtherance of the mission of RDC.

17 **Section 40. Limited Investment for Financial Traction (LIFT) and Delaware Rural Irrigation Program**
18 **(DRIP) Initiatives.** Notwithstanding any other law to the contrary, DEDO is hereby authorized to pay administrative
19 fees associated with LIFT and DRIP Initiatives from the Delaware Strategic Fund not to exceed 2 percent of the
20 program total.

21 **Section 41. Diamond State Port Corporation.** The Section 1 Addendum to this Act appropriates
22 ~~\$8,000,000~~ \$10,000,000 to the Diamond State Port Corporation (DSPC). It is the intent of the General Assembly and
23 the Administration that said funds represent funding for the following projects:

	Amount
24	
25 (a) Container Crane	\$3,600,000 <u>\$7,200,000</u>
26 (b) Infrastructure Improvements	\$4,400,000 <u>\$2,800,000</u>

- 1 No funds may be expended from this appropriation without the approval of the Board of Directors of the Port
- 2 Corporation. In addition, DSPC may borrow, on an interest-free basis, \$2,000,000 of this authorization to meet its
- 3 short-term operating expenses during Fiscal Year 2015.

1 **DELAWARE STATE HOUSING AUTHORITY**

2 **Section 42. Housing Development Fund - Affordable Rental Housing Program.** The Section 1

3 Addendum to this Act appropriates \$6,000,000 for Housing Development Fund - Affordable Rental Housing Program
4 (10-08-01). It is the intent of the General Assembly and the Administration that said funds are to be used to leverage
5 other funding sources, such as Low Income Housing Tax Credits and tax-exempt bonds to help create and/or improve
6 affordable rental housing stocks in Delaware. This investment in affordable rental housing will increase economic
7 activity in the State of Delaware. The Director of the Delaware State Housing Authority shall report to the Controller
8 General and the Director of the Office of Management and Budget no later than April 30, ~~2014~~ 2015 on the
9 expenditure of the Housing Development Fund appropriated in Section 1 Addendum to this Act. Said report shall also
10 include the amount and expenditure of any non-state funds received by the State for said affordable rental housing
11 projects.

12 **Section 43. Urban Redevelopment.** The Section 1 Addendum to this Act appropriates \$7,000,000 for a

13 statewide urban redevelopment initiative. Funds may be utilized to incentivize rehabilitation and construction in
14 designated Downtown Development Districts in amounts not to exceed 20 percent of the total project cost. In addition,
15 up to \$1,000,000 of the total authorization may be used for local downtown grants in amounts not to exceed \$150,000
16 per locality in a one-year period.

1 **DEPARTMENT OF TECHNOLOGY AND INFORMATION**

2 **Section 44. Data Center Projects.** In no instance shall any information technology data center project be
3 initiated by a department/agency during this fiscal year until a formalized plan has been approved by the
4 department/agency head, Director of the Office of Management and Budget and the State’s Chief Information Officer.
5 This includes, but is not limited to, relocating, renovating and/or constructing new information technology data
6 centers.

7 **Section 45. IT Project Funding.** (a) Section 1 Addendum of this Act appropriates ~~\$17,251,100~~
8 \$21,797,500 to the Office of Management and Budget (10-02-05) for technology projects. For Fiscal Year ~~2014~~ 2015,
9 the following projects may receive an allocation for planning, development, procuring services, conducting a
10 feasibility/investment analysis or project implementation provided they meet all of the requirements contained within
11 this Section:

12 DEPARTMENT/AGENCY SERVICE NEED

13 Department of Health and Social Services

14 DACSES Replacement and Equipment

15 Delaware Medicaid Enterprise System

16 Delaware Client Information System Eligibility Modernization Project

17 ~~Department of Services for Children, Youth and Their Families~~

18 ~~Family and Children Tracking System (FACTS II)~~

19 Department of Safety and Homeland Security

20 AFIS Upgrade

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

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

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

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

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

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

23 (d) Funding shall be transferred on a phase-by-phase basis. Except for the initial transfer where the project
24 plan needs to be approved, subsequent funding transfer requests shall be contingent upon the receipt and review of
25 quarterly project status reports by the Director of the Office of Management and Budget, Controller General and Chief
26 Information Officer. In instances where the project requires a transfer prior to the deadline for the quarterly report, a
27 report of the project's status at the time of the request will be necessary.

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

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

1 **DEPARTMENT OF STATE**

2 **Section 46. North Wilmington Library.** Funds authorized in the Section 1 Addendum of 70 Del. Laws, c.
3 210 shall be used to plan and construct a library within the First Senate District.

4 **Section 47. Museum Maintenance.** The Section 1 Addendum to this Act appropriates ~~\$550,000~~ \$450,000
5 to the Department of State for museum maintenance. It is the intent of the General Assembly that these funds be
6 retained by the Department of State, Division of Historical and Cultural Affairs for use with the operations of state
7 museums or for repairs to those facilities under the control of the Division of Historical and Cultural Affairs.

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

11 **Section 49. Stabilization Endowment for the Arts.** It is the intent of the General Assembly that previously
12 appropriated funds from the Department of State to the Stabilization Endowment for the Arts may be used to fund
13 operating expenses pursuant to appropriate controls and procedures adopted by the Board of the Arts Consortium of
14 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 1986,
3 as amended (the Code), whenever the General Assembly authorizes the issuance of the State’s General Obligation
4 bonds or the Delaware Transportation Authority’s (the Authority) revenue bonds to finance the costs of specific capital
5 projects, it is the intent of the General Assembly that the interest on such bonds shall not be included in gross income
6 for federal income tax purposes under Section 103 of the Code, and the United States Treasury Regulations (the
7 Regulations) thereunder as they may be promulgated from time to time, or shall be qualified as Build America Bonds
8 pursuant to the Code and the Regulations. Pursuant to the State's budget and financial policies, other than unexpected
9 situations where surplus revenues render bond financing unnecessary or undesirable, no funds other than the proceeds
10 of such bonds, are or are reasonably expected to be, reserved, allocated on a long-term basis or otherwise set aside by
11 the State to pay the costs of such specific capital projects. Pursuant to the Authority’s budget and financial policies, it
12 is expected that approximately 50 percent of the costs of its capital projects shall be funded on a long-term basis from
13 the proceeds of such bonds. However, after the authorization of such bonds but prior to their issuance, non-bond funds
14 from the State’s General Fund or the Authority’s Transportation Trust fund or other funds may be advanced on a
15 temporary basis to pay a portion of the costs of such specific capital projects. In that event, it is expected that these
16 non-bond funds will be reimbursed from the proceeds of such bonds when they are issued. This reimbursement may
17 cause a portion of such bonds to become reimbursement bonds within the meaning of Section 1.150-2 of the
18 Regulations. Under those Regulations, to preserve the exclusion of the interest on such bonds from gross income for
19 federal income tax purposes, it may be necessary to make a declaration of official intent. The Secretary of Finance is
20 hereby designated as the appropriate representative of the State and the Secretary of Transportation is hereby
21 designated as the appropriate representative of the Authority, and each is authorized to declare official intent on behalf
22 of the State or the Authority, as the case may be, within the meaning of Section 1.150-2 of the Regulations, whenever
23 and to the extent that such declaration is required to preserve such tax treatment.

24 **Section 51. Qualified Zone Academy Bonds.** A portion of the General Obligation bonds authorized under
25 this Act for a school construction project may be issued in the form of Qualified Zone Academy Bonds (QZABs)
26 within the meaning of the Code and the Regulations. Such portion shall be equal to the maximum amount of QZABs
27 which may be issued under the Code and the Regulations. The Secretary of Finance is hereby authorized to determine
28 the terms and conditions of the QZABs and the eligible public school project financed by the QZABs, and the manner

1 by which QZABs shall be awarded to the purchasers thereof, including private negotiated sale, notwithstanding
2 anything to the contrary contained in 29 Del. C. c. 74; provided that the requirements of 29 Del. C. § 7422 must be
3 observed.

4 **Section 52. Amortization Requirements.** Issuance of any bonds authorized in this Act or any previous
5 authorization act may be subject to any amortization requirements as shall be determined by the bond issuing officers
6 notwithstanding anything to the contrary contained in 29 Del. C. § 7406(b).

1 **DEPARTMENT OF CORRECTION**

2 **Section 53. Prison Construction.** (a) The Director of the Office of Management and Budget, as provided
3 through construction management services, shall consult with the Commissioner of Correction to ensure expedient
4 programming, planning and construction of authorized correctional facilities. None of the funds authorized herein or
5 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 Committee
7 for the purpose of constructing correctional facilities shall have the technical oversight of the Director of the Office
8 of Management and Budget as defined in the appropriate section of this Act pertaining to management of the
9 construction to ensure proper use and timely completion of all such construction projects authorized herein.

10 **Section 54. Community Restoration.** The Department of Correction may, to the extent resources and
11 appropriately classified offenders are available, direct these offenders to assist with community restoration projects.
12 These projects may include beautification, clean up and restoration efforts requested by civic, governmental and
13 fraternal organizations approved by the Commissioner.

14 **Section 55. Maintenance and Restoration.** The Section 1 Addendum to this Act appropriates \$3,135,400
15 to the Department of Correction for Maintenance and Restoration projects. The department must submit a bi-annual
16 report to the Director of the Office of Management and Budget and the Controller General, detailing the expenditure
17 of such funds and the respective projects. The department shall submit a preliminary plan to the Director of the Office
18 of Management and Budget and Controller General for maintenance projects for the following fiscal year by October
19 31.

20 **Section 56. Department of Correction Prison Industry Program.** The Department of Correction's Prison
21 Industry Program shall be prohibited from selling on the open market precast concrete products work including, but
22 not limited to catch basins and square boxes, unless such work meets National Precast Concrete Association
23 Standards. The Department of Correction Prison Industry Program can continue to build, pour and construct precast
24 concrete products that are exempt from this standard for use on State of Delaware prison projects.

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

2 **Section 57. DNREC Land Acquisition.** Except for land acquired by approval of the Open Space Council
3 or approved through a Bond and Capital Improvements Act, land shall not be purchased by the Department of
4 Natural Resources and Environmental Control (DNREC) without prior approval of the Co-Chairs of the Joint
5 Legislative Committee on the Capital Improvement Program provided, however, that the department is not prohibited
6 from conducting studies, surveys or other contractual arrangements that would normally precede land acquisition
7 procedures.

8 **Section 58. Open Space Match Requirements.** Notwithstanding the provisions of 29 Del. C. §
9 6102A(c)(2), upon written request by the Open Space Council and notification of the Secretary of Finance, the Co-
10 Chairs of the Joint Legislative Committee on the Capital Improvement Program are hereby empowered to waive on a
11 case-by-case basis the match requirements for a specific Open Space land purchase if it can be demonstrated that
12 meeting said match requirements would prevent the timely purchase of said parcel.

13 **Section 59. Army Corps of Engineers Project Cooperation Agreements.** By using funds approved by
14 Bond and Capital Improvements Acts, the Secretary of DNREC is authorized to sign Project Cooperation Agreements
15 with the Department of the Army and other appropriate sponsors for planning, construction, operation and
16 maintenance for projects entered into by said Agreements.

17 **Section 60. Indian River Marina.** In accordance with the provisions of 73 Del. Laws, c. 350, § 70,
18 DNREC under the direction of the Director of the Office of Management and Budget may utilize up to \$9,900,000 in
19 funds from the Twenty-First Century Fund for the Parks Endowment Account as established in 29 Del. C. § 6102A(e),
20 for the purpose of revitalizing and enhancing public amenities within the Delaware Seashore State Park in and around
21 the Indian River Marina Complex and related support facilities as presented to the Joint Legislative Committee on the
22 Capital Improvement Program on May 15, 2002. DNREC will repay both the principal borrowed and interest on the
23 principal borrowed equal to that interest lost as a result of borrowing from the Account. Repayment shall not exceed
24 20 years.

25 **Section 61. Newark Reservoir.** Of the funds allocated from the Twenty-First Century Water/Wastewater
26 Management Account in 72 Del. Laws, c. 258 and c. 489, \$3,400,000 has been set aside for the Newark Reservoir
27 Project. If the City of Newark annexes the property referred to as New Castle County Tax Parcel #08-059.20-002 and

1 Tax Parcel #08-059.20-001, the City must repay to the State those monies appropriated in the Fiscal Year 2000 and
2 2001 Bond and Capital Improvements Acts for said project.

3 **Section 62. Seventh Street Marina.** It is the intent of the General Assembly to classify the Seventh Street
4 Marina, located on East Seventh Street, being Tax Parcel # 26.044.00.0013 containing 7.86 acres of land (of which
5 5.27 acres, more or less, is above the high water line) as existing marina for purposes of the State of Delaware Marina
6 Regulations, adopted on March 29, 1990 and amended on February 22, 1993. Such classification does not exempt any
7 person seeking to make physical improvements to the marina from permit application fees pursuant to 7 Del. C. c. 66
8 and c. 72.

9 **Section 63. Waterway Management.** DNREC is directed to provide dedicated, comprehensive waterway
10 management for state waters. DNREC will: maintain design depths and mark navigational channels of the State that
11 are not maintained and marked by any entity of the federal government; remove nuisance macroalgae; remove
12 abandoned vessels; remove derelict structures, trees and other debris that threaten safe navigation; and perform any
13 other waterway management services that may be identified to preserve, maintain and enhance recreational use of the
14 State's tidal waters, as well as improve environmental conditions as warranted or directed by the Governor or
15 Secretary of DNREC. DNREC is further directed to undertake a study of the sediment sources and patterns of
16 sediment movement that result in deposition within state waterways to determine if there are methods to reduce the
17 dependency on dredging to remove deposited sediments.

18 **Section 64. Clean Water Funding Leverage.** The Department of Natural Resources and Environmental
19 Control, under advisement from the Clean Water Advisory Council, is encouraged to evaluate the potential leveraging
20 of the Water Pollution Control Revolving Fund and/or the Twenty-First Century Fund Water/Wastewater Management
21 Account based on the recommendation of the Dialogue on Financing Wastewater and Stormwater Infrastructure report
22 sponsored by the Delaware Public Policy Institute, Office of the Governor, Office of the Lieutenant Governor,
23 DNREC and the Clean Water Advisory Council. The department is further encouraged to include in its evaluation the
24 use of any other resources or assets within the department that can be used to create an environmental infrastructure
25 trust to further the environmental goals of the State.

26 **Section 65. Yard Waste Drop Sites.** The department shall work with private sector providers and members
27 of the General Assembly to ensure New Castle County residents have safe and accessible yard waste drop sites,
28 including in the immediate vicinity of the current Polly Drummond site.

1 **Section 66. Auburn Valley Project.** The implementation of the transportation, stormwater management,
2 demolition, remediation, redevelopment, and parks and recreation element of the Auburn Valley Master Plan shall not
3 be subject to the zoning, subdivision, land use or building code ordinances or regulations of New Castle County.

4 **Section 67. Conservation District Contracting.** Notwithstanding any statutory provision or regulation to
5 the contrary, it is the intent of the General Assembly that the Department of Natural Resources and Environmental
6 Control may enlist Delaware’s conservation districts as provided in 7 Del. C. c. 39 to advance the purposes of this
7 chapter. All contracts shall be subject to the provisions of 29 Del. C. § 6960.

8 **Section 68. Recycling Cash Flow.** The department is hereby authorized, consistent with 7 Del. C. c. 60
9 and 30 Del. C. c. 29, to issue grants and loans to assist persons engaged in the business of collecting, transporting,
10 processing or marketing recyclable materials, including yard waste. To that end, the Secretary shall be authorized to
11 borrow up to \$6,000,000 in combination from the Delaware Land and Water Conservation Trust Fund Endowment
12 Account, the Parks Endowment Account, the Beach Preservation Appropriation Account and the Resource,
13 Conservation and Development Appropriation in order to fund activities pursuant to 7 Del. C. § 6054 and § 6055.
14 Any funds borrowed from such accounts shall be paid back in full by no later than June 30, 2015, from fees
15 generated pursuant to 30 Del. C. c. 29. To the extent that borrowing results in reduced revenues to the department for
16 programs that rely on interest from these accounts, principal from the account may be used to offset up to the amount
17 of lost interest revenue and shall be repaid by fees generated pursuant to 30 Del. C. c. 29. A report must be submitted
18 regarding funds borrowed and update on the recycling program to the Director of Office and Management and
19 Budget and the Controller General’s Office by October 15, ~~2013~~ 2014 and April 15, ~~2014~~ 2015.

20 **Section 69. Bay View.** The New Castle County Conservation District shall continue to work with the Bay
21 View community as a Twenty-First Century Fund Drainage Project and may use up to \$200,000 from existing
22 Twenty-First Century Project Funds should the opportunity arise to fund an appropriate solution. For the purposes of
23 Bay View, appropriate solutions may include, but are not limited to, matching the \$200,000 in Twenty-First Century
24 Project Funds with FEMA funding as a Hazard Mitigation Project.

25 **Section 70. Redevelopment of Strategic Sites.** The Section 1 Addendum to this Act appropriates ~~\$700,000~~
26 \$2,900,000 to the Department of Natural Resources and Environmental Control for the redevelopment of the following
27 strategic sites: (a) ~~\$500,000 shall be used for the remediation and~~ The former NVF Facility in Yorklyn, along the Red
28 Clay Creek; and

1 (b) ~~\$200,000 shall be used to develop demolition plans, specifications, and related permitting for those~~
2 ~~portions The Fort DuPont complex adjacent to Delaware City site that are not historic and are slated to be demolished~~
3 ~~under the development plan for the site.~~

4 **Section 71. Resource, Conservation and Development Projects.** It is the intent of the General Assembly
5 that the Office of Natural Resources, Division of Watershed Stewardship and the Conservation District(s) as
6 established by 7 Del. C. c. 39 shall have the following authorities:

- 7 (a) Within the same county, funds appropriated in any fiscal year shall be used for the completion of any
8 Twenty-First Century Fund Project approved by the Joint Legislative Committee on the Capital
9 Improvement Program. Funds remaining from completed projects may be utilized for any project
10 approved as part of any fiscal year Capital Improvements Act. The funds appropriated are to be utilized
11 for planning, surveying, engineering and construction of approved projects.
- 12 (b) For water management and drainage projects undertaken by the Department of Natural Resources and
13 Environmental Control, Office of Natural Resources, Division of Watershed Stewardship and the
14 Conservation Districts using Twenty-First Century Fund Resource, Conservation and Development
15 funds, the required non-Twenty-First Century Fund match shall be a minimum of 10 percent of the total
16 project cost for any project.
- 17 (c) Approved projects remain on the approved project list until completed or discontinued by the Division of
18 Watershed Stewardship or Conservation District(s) because of engineering, landowner consent or other
19 issues that render a cost effective solution to drainage or flooding problem unlikely. The projects
20 recommended to be discontinued will be identified on the annual report submitted to the Joint Legislative
21 Committee on the Capital Improvement Program.
- 22 (d) In December and May of each year, the Division of Watershed Stewardship shall submit a financial
23 report of fund activity including expenditures by fiscal year appropriated for each county to the Office of
24 Management and Budget and the Office of the Controller General. Accounting and financial
25 management for the Twenty-First Century Fund will be based on the current pro-rated allocation of funds
26 for each county and not based on specific project allocations.
- 27 (e) The Division of Watershed Stewardship will submit an annual report to the Joint Legislative Committee
28 on the Capital Improvement Program at the Resource, Conservation and Development hearing detailing

1 project status including those projects recommended for discontinuation. The annual report will also
2 include a request for funding that will identify the total unexpended balance of the fund and the total
3 projected needs of the project estimates to date. A list of new projects will also be identified and
4 submitted for approval by the Joint Legislative Committee on the Capital Improvement Program.

5 (f) When a proposed tax ditch project or other water management project traverses county lines, if approved
6 by the Joint Legislative Committee on the Capital Improvement Program the project shall be added to the
7 project list in both counties.

8 (g) Subject to the approval of the Co-Chairs of the Joint Legislative Committee on the Capital Improvement
9 Program, a project funded entirely from Community Transportation Funds (CTF) may be added to the
10 Twenty-First Century Fund project list during the course of a fiscal year when said project is deemed to
11 be an emergency project affecting the health and safety of residents.

12 **Section 72. Delaware City - Branch Canal Trail.** The Section 1 Addendum to ~~this Act~~ 79 Del. Laws, c. 79
13 appropriates \$3,000,000 to the Department of Natural Resources and Environmental Control for Statewide Trails and
14 Pathways. Of this amount, \$50,000 shall be allocated to the New Castle County Conservation District for
15 enhancements to the Delaware City Branch Canal Trail and \$25,000 shall be allocated to Sussex Outdoors.

DEPARTMENT OF TRANSPORTATION

Section 74. General Provisions. The Department of Transportation (Department) is hereby authorized and directed to use all its designated powers and resources to carry out the following legislative mandates:

(a) Transportation Trust Fund Authorizations. Sums not to exceed ~~\$401,865,051~~ \$417,798,126 (State: ~~\$196,769,030~~ \$207,397,466; Federal: ~~\$202,036,618~~ \$201,449,708; Other: ~~\$3,059,403~~ \$8,950,952) are authorized to be withdrawn from the Transportation Trust Fund to carry out the projects and programs as set forth in the Section 1 Addendum of this Act.

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

Deauthorize	Amount
Road System (97701)	\$34,013,848.65
Support System (97601)	1,301,982.42
Transit System (97301)	532,279.90
Total	\$35,848,110.97

Reauthorize	Amount
Road System (97701)	\$34,013,848.65
Support System (97601)	1,301,982.42
Transit System (97301)	532,279.90
Total	\$35,848,110.97

Section 75. US 301 Revenue Bonds. The Delaware Transportation Authority is hereby authorized to issue revenue bonds in a principal amount sufficient to finance the construction of the US 301 mainline, including capitalized interest, cost of issuance and reserve requirements. The Secretary of the Department of Transportation in concurrence with the Director of the Office of Management of Budget, the Secretary of Finance and the Controller General shall determine the time and the exact amount of the sale. Such revenue bonds may be secured by a pledge of the toll revenue generated by US 301 and the Transportation Trust Fund revenue.

1 **Section 76. Maintenance and Operations Facilities.** Building structures and facilities constructed, or to be
2 constructed, within the Department of Transportation's operating right of way that facilitate maintaining the highway
3 system and are used to assist in the operational and maintenance activities for all roads, shall not be subject to zoning,
4 subdivision or building code ordinances or regulations by any political subdivision of the State. Types of structures
5 may include equipment sheds, crew quarters, equipment maintenance, equipment washing, material storage sheds (i.e.
6 salt, sand and other bulk materials), fuel centers and other maintenance structures required to maintain the highway
7 system such as security (cameras and fences) including necessary maintenance and replacement items such as
8 upgrades to existing facilities. The Department shall not construct any such facility without first conducting a public
9 workshop to describe such plans and gather public input into the effect of such plans.

10 **Section 77. Transportation Enhancements Alternatives.** ~~(a) It is the intent of the General Assembly that~~
11 ~~the department provide notice to all State agencies, political sub divisions within the State and other parties of the~~
12 ~~availability of, and rules governing, the Transportation Enhancements program. Such notice shall include, but not be~~
13 ~~limited to, the definitions of eligible projects, the requirements for matching funds, and such other requirements as~~
14 ~~may be necessary to insure that any interested entity may work to become a participating recipient under the program.~~
15 ~~For new projects, the Department of Transportation is directed to submit a detailed list of all projects funded within the~~
16 ~~Transportation Enhancement Program or its successor to the Office of Management and Budget and Office of the~~
17 ~~Controller General on an annual basis.~~

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

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

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

1 **Section 78. Grants and Allocations.** The Section 1 Addendum of this Act appropriates the sum of
2 ~~\$21,750,000~~ \$13,375,000 (State) for projects within the Grants and Allocations classification. The General Assembly
3 further defines its intent with respect to those appropriations as follows:

4 (a) The sum of ~~\$16,750,000~~ \$8,375,000 (State) shall be used for the Community Transportation Fund, in
5 accordance with the rules and regulations as adopted by the Joint Legislative Committee on the Capital Improvements
6 Program, as amended from time to time.

7 (b) The sum of \$5,000,000 (State) shall be used for the Municipal Street Aid program pursuant to the
8 provisions of 30 Del. C. c. 51.

9 **Section 79. 5310 Program.** The Delaware Transit Corporation is authorized to expend up to \$1,338,064
10 (\$867,613 State; \$470,451 Federal) from the Transit System classification (97301) appropriated in this Act for the
11 5310 Program, administered by the Federal Transit Administration.

12 **Section 80. DeDOT Work Impacts on Private Property and its Owners.** When the Department and/or
13 any of its contractors determines that it would be in the best interests of the State to undertake
14 construction/reconstruction work past 9:00 p.m. or before 7:00 a.m., and such work is to be conducted immediately
15 adjacent to a residential neighborhood:

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

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

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

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

8 **Section 81. Indian River Inlet Bridge.** State funds authorized in ~~this and~~ previous Acts of the General
9 Assembly for the design and construction of a new bridge at the Indian River Inlet and the construction of new park
10 amenities, access and circulation roads and other transportation and recreation improvements shall be used, to the
11 maximum extent possible, to match federal funds previously available, or to become available in the future. In
12 keeping with the strong sense of community involvement and sense of ownership, the Department shall continue to
13 provide periodic progress updates through such media as it determines to best address the community's needs. And
14 finally, because in order to accomplish this project in an efficient and cost-effective manner, the Department and its
15 contractors will have to occupy portions of the State's adjacent campground and marina facilities, the General
16 Assembly authorizes and directs the Secretary of the Department to enter into reimbursement agreements with the
17 Secretary of the Department of Natural Resources and Environmental Control (DNREC). Such agreements will insure
18 that during the period of construction of the bridge and other necessary improvements, DNREC shall be equitably
19 indemnified from the loss of critical tourist revenues, which are necessary to fund the operations of all of the State's
20 outdoor recreational facilities.

21 **Section 82. City of Wilmington Beautification.** In order to maintain the urban tree canopy available in the
22 City of Wilmington, the General Assembly authorizes and directs the department to establish, and maintain a program
23 of tree maintenance and replacement in cooperation with the Delaware Center for Horticulture and/or Urban Forestry
24 in the Department of Agriculture. It is the intent of the General Assembly that such program shall be funded
25 exclusively by allocations made from time to time by members of the General Assembly from their Community
26 Transportation Funds (CTF). The Department shall make payments to the center and/or Urban Forestry in the
27 Department of Agriculture for work accomplished, and appropriately vouchered, from the CTF funds herein identified.

1 **Section 83. Supplies of Road Materials.** 74 Del. Laws, c. 308 § 109 is suspended until such time as the
2 Department of Transportation shall suggest its re-institution and such suspension has been overridden by an Act of the
3 General Assembly.

4 **Section 84. System Capacity Preservation.** The General Assembly hereby determines that it is in the
5 public interest to limit future residential, commercial or industrial growth along certain portions of the State's highway
6 network. Such potential growth would produce unsafe driving conditions as increased traffic seeks access to, and
7 movements along, a number of local roads and collectors in critical locations through the State. The General
8 Assembly further determines that it would be infeasible or imprudent for the Department to attempt to design and
9 construct modifications to the State's highway network adjacent to these locations because such improvements would
10 irrevocably destroy the important scenic and historic nature of the view sheds and other environmental attributes
11 associated with these locations. Accordingly, the Secretary of the Department of Transportation (Secretary) is
12 authorized and directed to use state funds appropriated to the Transportation Enhancements program authorized and
13 funded in the Section 1 Addendum of 74 Del. Laws, c. 308, together with such other funds from any public or private
14 source as may be available and appropriate, to purchase land, or such rights in land, as the Secretary deems necessary
15 to protect the following properties, pursuant to the stipulations stated herein. Expenditures of these funds for these
16 purposes shall be with the review and approval of the Director of the Office of Management and Budget and
17 Controller General. The provisions of 17 Del. C. c. 1 and 29 Del. C. c. 93 and c. 95 shall govern such purchases, and
18 any other purchase by the Department authorized by this Act.

19 (a) Millcreek Farm (Yearsley) Property - Four parcels totaling approximately 35 +/- acres adjacent to Mill
20 Creek (SR 282) and Stoney Batter (SR 283) Roads in New Castle County. The Department shall work with members
21 of the surrounding community, plus state and local officials, to develop a master plan for the permanent protection of
22 the site as community recreation and education and open space. Notwithstanding 17 Del. C. § 137, the Department of
23 Transportation, upon completion of plans to reconfigure the intersection of Stony Batter Road and Mill Creek Road, is
24 authorized to transfer said property to the Red Clay Consolidated School District.

25 **Section 85. Denny Road/Route 896 Alignment Completion.** Upon completion and final inspection of the
26 Denny Road/Route 896 Realignment Project, the frontage property consisting of two parcels (0.93 and 0.929 acres)
27 along Route 896, currently landscaped and maintained by the community of Meadow Glen, shall revert back to the

1 community which had owned said parcels prior to 1994. Notwithstanding the provisions of 17 Del. C. § 137, the
2 Department shall deed these parcels to the community and remain in their possession in perpetuity.

3 **Section 86. Port of Wilmington.** Subject to the review and approval of the Board of Directors of the
4 Diamond State Port Corporation (DSPC):

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

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

17 **Section 87. Wakefield Drive.** The Department of Transportation shall be prohibited from reopening
18 Wakefield Drive in Newark through Old Baltimore Pike.

19 **Section 88. Community Transportation Funding Levels.** The Department is directed to account for the
20 Community Transportation Program funds as cash, which shall be equal to the amounts authorized in Appendix A of
21 this Act. The funds authorized within the Community Transportation program shall not be subject to deauthorization
22 or reallocation by the Department under any circumstances.

23 **Section 89. Design-Build Contracts.** The Department of Transportation is hereby authorized to continue
24 utilization of the design-build contract mechanism for a total of 12 transportation construction projects (10 of which
25 have been authorized). Design-build is a project delivery method under which a project owner, having defined its
26 initial expectations to a certain extent, executes a single contract for both architectural/engineering services and
27 construction. The selection processes and other terms of such contracts may vary considerably from project to project.
28 The design-build entity may be a single firm, a consortium, joint venture or other organization. However, the

1 fundamental element of design-build delivery remains that one entity assumes primary responsibility for design and
2 construction of the project. The Department of Transportation is authorized to continue the use of these experimental
3 approaches to completing its projects, subject to the following conditions:

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

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

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

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

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

16 **Section 90. New Development Road Widening.** When planning and/or permitting additional road
17 widening directly related to new residential development, the Department of Transportation, Division of Planning,
18 shall make every attempt to require the necessary right-of-way land be acquired from the developer owned land.

19 **Section 91. Route 301 Spur Road Segment.** The General Assembly directs the Department to implement
20 the US 301 Corridor project in phases, beginning with the US 301 mainline section.

21 **Section 92. Astra Zeneca Project.** The Department shall carry out property boundary adjustments and
22 easements for transit, bicycle and pedestrian, storm water management, wetlands and stream restoration,
23 beautification, historic preservation, conservation and other improvements in concert with DNREC, DEDO, City of
24 Wilmington, New Castle County, New Castle County Conservation District and such other public and private entities
25 as may be necessary to accomplish timely completion of the Blue Ball Master Plan.

26 **Section 93. Buck Road.** The Department of Transportation is requested to refrain from issuing any entrance
27 permit, authorization or approval for use of any entrance way from New Castle County Parcel Number 0702600094
28 onto Buck Road, until such time as it also certifies by letter to the New Castle County Department of Land Use that

1 the developer's proposed entrance design conforms with the Department's subdivision requirements, pursuant to its
2 authority under 17 Del. C. § 146 and its related regulations, intended to protect public safety and maintain smooth
3 traffic flow. The government of New Castle County is also requested to solicit comments from and work with the
4 residents of surrounding communities, community organizations and state and local officials to address traffic safety
5 and other legitimate land use concerns about the proposed development, after the receipt of the Department's letter.
6 The design of the entrance on Buck Road for Greenville Center will include a sidewalk from the entrance to the
7 surrounding Greenville Manor Community on Ardleigh Drive.

8 **Section 94. Routes 141 and 48.** The Department of Transportation is requested to refrain from issuing any
9 permit, authorization or approval for use of any new, additional, revised or modified entrances for New Castle County
10 Parcel Numbers 07-032.20-003, 07-032.20-048 through and including 07-032.20-055, 07-032.20-057 and 07-032.30-
11 072 onto or from Route 141 or Route 48, until such time as the Department obtains, reviews and comments upon a
12 traffic operations analysis for the area, which among other elements addresses (1) the predicted levels of service on
13 intersections, roadways or the Tyler McConnell Bridge affected by the proposed development of these parcels, and (2)
14 the roadway improvements necessary to accommodate the development of these parcels, based upon the exploratory
15 development plans submitted to the New Castle County Department of Land Use by the developer, as required by the
16 County's Unified Development Code. To the extent that any submission of proposed development plans is
17 substantially different than the original exploratory development plans submitted to the County, the Department is
18 further requested to assess the impact of the new submission's traffic generation upon the local transportation network.
19 The scope of the assessment shall be at the reasonable discretion of the Department.

20 **Section 95. Delaware City DMV Facility.** (a) Section 1 of 78 Del. Laws, c. 292 makes an appropriation to
21 the Department of Transportation, Support Systems under Transportation Facilities appropriation for the design and
22 construction of a new Division of Motor Vehicle (DMV) facility in New Castle County. The new facility will be
23 located at the existing Mid County transit hub, which is currently owned by DelDOT. This new facility will replace
24 the current DMV site currently located on Airport Road. While funding for the project is included in the
25 Transportation Trust Fund, and is proposed to be matched with federal congestion mitigation funds, the Office of
26 Management and Budget, Division of Facilities Management will manage the construction process with oversight
27 from DelDOT's Support Services personnel.

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

5 **Section 96. Red Light Safety Enforcement.** (a) The program shall continue to use recognized safety and
6 accident criteria in determining whether and where to add any new enforcement locations to this program, and in any
7 event shall continue to confirm that any such new locations are not objected to by the incumbent state Senator and
8 Representative for the districts in which such locations are proposed.

9 (b) To assure integrity and propriety, no person involved in the administration or enforcement of this program
10 shall own any interest or equity in the vendor used by the Department to support the administrative elements of the
11 program. Any such person with an ownership or equity interest in such vendor must divest from this ownership or
12 investment no later than 90 days after the effective date of this Act. This restriction applies to anyone with either
13 direct involvement in administering or enforcing this program and those in any supervisory capacity above such
14 persons.

15 **Section 97. Craft Training.** The Department of Transportation is authorized to engage in up to two project
16 procurements (one in New Castle County and one in Kent County) utilizing the craft training and apprentice program
17 called for in 29 Del. C. § 6962(c), on an experimental basis. Any contractor that performs work in multiple trades on a
18 road construction project under the craft training experiment will have an apprenticeship in at least one, not all of the
19 trades on the project to comply with this experiment. Upon the completion of these experiments, the Department shall
20 report to the Joint Legislative Committee on the Capital Improvement Program with its assessment of the program
21 including, but not limited to, cost savings, project quality and worker safety.

22 **Section 98. Chestnut Hill Road Parcel.** The provisions of 17 Del. C. § 137 notwithstanding, the
23 Department of Transportation is authorized to enter into agreements with other governmental agencies, either directly
24 or in concert with a private entity, regarding a Department-owned parcel known as NC227, Tax Parcel No. 11-003.30-
25 027, on terms the Department Secretary deems appropriate, for purposes of evaluating the costs and benefits of fuel
26 cell technology from environmental and economic development perspectives, which the General Assembly hereby
27 finds is an appropriate public purpose.

1 **Section 99. Rehabilitation of Public Streets, Industrial Parks.** In order to maintain a safe, attractive and
2 efficient network of public streets serving the State’s growing inventory of industrial parks, the General Assembly
3 hereby authorizes the Department to spend sums not exceeding \$250,000 on a pilot program to address this issue. The
4 Department shall prepare an inventory of all public streets within the State’s industrial parks. It shall further rank all
5 of these streets in the same manner that it prepares the annual program of roads eligible for the Paving and
6 Rehabilitation Program authorized elsewhere in this Act. The Secretary shall then distribute this list to all members of
7 the General Assembly, together with an estimate of the amounts necessary to address those public streets in this
8 inventory most in need of repair. If a member of the General Assembly elects to allocate funds from his/her
9 Community Transportation Fund (CTF) to repair any of these public streets, the Secretary may draw on this
10 appropriation to match those individual CTF dollars on the basis of one dollar from this special account for every one
11 dollar allocated by the member. The Secretary shall notify all members of his intent to make such matching
12 allocations, and shall require any member interested in participating to notify the Department of his/her interest ~~in~~
13 ~~participating by a date certain, not less than one month~~ within 30 days from the date of such announcement. In the
14 event that the sum of all individual member requests exceeds the amounts authorized by this Section, the department
15 shall prioritize the industrial park streets to be improved on the basis of the ranking required by this section, and shall
16 share its decisions with all members of the General Assembly. For purposes of preparing this inventory and ranking,
17 the Department is authorized and directed to expend such sums as may be necessary from the accounts established for
18 statewide paving and rehabilitation activities. For purposes of eligibility, the industrial park public streets shall be
19 limited to those streets which meet department standards and are currently maintained by the department.

20 **Section 100. Community Transportation Fund.** The Department of Transportation will provide an annual
21 financial report regarding projects funded through Community Transportation Fund and will report to the Co-Chairs of
22 the Joint Legislative Committee on the Capital Improvement Program by June 30 of each fiscal year.

23 **Section 101. Weldin House.** WHEREAS, the State of Delaware, acting through the Department of
24 Transportation (hereinafter referred to as the "Grantee" or "DelDOT") entered into an Permanent Conservation
25 Easement Agreement with Sycamore Development Group, LLC (hereinafter referred to as "Grantor") on December
26 22, 2005. This Permanent Conservation Easement Agreement (hereinafter referred to as the "Agreement") between the
27 Grantee and the Grantor was for the fee simple conveyance of a parcel of land in New Castle County of the State of
28 Delaware, identified as Tax Parcel Number 06-139.00-158. This parcel includes a building known as the Jacob Weldin

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

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

19 **Section 102. Appoquinimink School Property 301 Project.** Notwithstanding any provision of state law to
20 the contrary, including but not limited to 14 Del. C. § 1057, the Appoquinimink School District is hereby authorized
21 and directed to execute deeds and any other required documentation to complete the transfer of certain properties to
22 the Department of Transportation for the US 301 Project, as described herein and detailed in the Department's Project
23 Right-of-Way Plans, to wit:

- 24 (a) 22.94+/- acres, representing the dedicated 300-foot Project Corridor;
- 25 (b) 0.08+/- acres, as permanent easements, combining 0.05+/- and 0.03+/- acre segments respectively;
- 26 (c) 6.64+/- acres, in fee simple, combining segments of 0.67+/-, 0.76+/-, 3.08+/-, 0.67+/-, 0.85+/- and 0.61+/-
27 acres respectively;

1 (d) 3.44+/- acres, as temporary construction easements, combining segments of 0.59+/-, 2.39+/-, and 0.46+/- acres
2 respectively.

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

5 **Section 103. Route 1 Widening.** The Department is encouraged to consider all feasible and prudent options
6 with respect to access issues for the proposed widening of State Route 1 between State Route 273 and the Senator
7 William V. Roth Bridge, including but not limited to the provision of new ramps in the vicinity of Newtown Road.

8 **Section 104. Community Transportation Fund.** The Department of Transportation shall continue to allow
9 the funding of state historical markers through the Community Transportation Fund. Said CTF-funded markers shall
10 be placed either within the right-of-way, or as close thereto as safety conditions will permit and shall be positioned to
11 be as visible as possible from the roadway consistent with applicable highway safety standards. State historical
12 markers, regardless of placement, shall be exempt from all county or local signage regulations, ordinances, fees or
13 licenses. Existing historical markers shall be brought into compliance with current standards only as they require
14 replacement, in which case CTF funding may be used for said replacement and, if necessary, repositioning consistent
15 with current safety standards. If a marker must be relocated or replaced as the result of a transportation road project,
16 the cost of said relocation or replacement, as well as the cost of upgrading of the marker to current safety standards
17 shall be borne by DelDOT as an expense of the project.

18 **Section 105. Little Heaven Grade Separation.** Notwithstanding any provision of the Delaware Code to the
19 contrary, and in accordance with 60 Del. Laws, c. 68, Section 1(b)(1), the Office of the Management and Budget,
20 successor to the Department of Administrative Services, is authorized to transfer ownership of Tax Parcel No. 8-00-
21 113.00-02-35.00-000, Kent County Deed Record I-12-160, to the Delaware Department of Transportation, for the
22 SR1, Little Heaven Grade Separation project, on terms acceptable to both agencies.

1 **DEPARTMENT OF AGRICULTURE**

2 **Section 106. Farmland Preservation.** For the fiscal year ending June 30, ~~2014~~ 2015, ~~\$1,800,000~~ \$400,000

3 of the ~~\$6,000,000~~ \$2,000,000 allocated for Farmland Preservation Funding may be utilized by the Aglands
4 Preservation Foundation in accordance with the rules and policies for the Delaware Young Farmer Program in
5 accordance with 3 Del. C. c. 9. All remaining state-appropriated funds shall be utilized by the Aglands Preservation
6 Foundation to preserve eligible farms statewide through the traditional farmland preservation program at its discretion
7 in accordance with Aglands Foundation rules and policies. Local jurisdiction funds committed to farmland
8 preservation for Fiscal Year ~~2014~~ 2015 shall be spent to preserve farmland only in the respective jurisdictions where
9 the funds originate. Farms to be preserved shall be selected by the local jurisdictions according to the jurisdictions
10 selection criteria from eligible farms as listed by the Aglands Preservation Foundation. Similarly, any funds provided
11 by nongovernment organizations shall be spent according to their selection criteria from eligible farms as listed by the
12 Aglands Preservation Foundation.

1 **FIRE PREVENTION COMMISSION**

2 **Section 107. Hydraulic Rescue Tools Replacement.** It is the intent of the General Assembly that the funds
3 authorized in the Section 1 Addendum of this Act be used to reimburse the Fire School, ~~Christiana, Clayton, Dover,~~
4 ~~South Bowers, Milton and Lewes/Rehoboth Beach~~ Felton, Ellendale and Laurel fire companies. Upon submitting the
5 receipt of sale, each company will be reimbursed up to \$7,500 by the Fire Prevention Commission, State Fire School
6 (75-02-01).

1 **DELAWARE NATIONAL GUARD**

2 **Section 108. Delaware National Guard.** Notwithstanding 29 Del. C. c. 69 or any other statutory provision
3 to the contrary, the Delaware National Guard may use design/build project delivery methodology for the purpose of
4 constructing a Field Maintenance Shop at Dagsboro Readiness Center. To enable the pursuit of a design/build
5 methodology for this project, all provisions of 29 Del. C. c. 69 are hereby waived with the exception of § 6960 related
6 to prevailing wage.

DELAWARE STATE UNIVERSITY

1
2 **Section 109. Convocation Study.** The Section 1 Addendum to 78 Del. Laws, c. 292 appropriates \$250,000
3 to Delaware State University for a Convocation Center Feasibility Study. It is the intent of the General Assembly that
4 such funding will not commit the State to future construction expenditures.

1 **DELAWARE TECHNICAL AND COMMUNITY COLLEGE**

2 **Section 110. Collegewide Asset Preservation Program.** The Section 1 Addendum of this Act provides
3 funds for Delaware Technical and Community College (90-04-00) for the Collegewide Asset Preservation program.
4 This appropriation may be used for the acquisition of computer hardware and 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 \$10,893,200 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.~~

School District	Maximum State Share	Maximum Local Share	Total Cost
Appoquinimink	\$718,559	\$479,039	\$1,197,598
Brandywine	798,789	532,526	1,331,315
—Special	19,796		19,796
Christina	1,219,063	812,709	2,031,772
—Special	60,758		60,758
Colonial	735,591	490,394	1,225,985
—Special	11,703		11,703
Red Clay	1,207,110	804,740	2,011,850
—Special	17,181		17,181
Caesar Rodney	519,627	346,418	866,045
—Special	29,383		29,383
Capital	460,613	307,075	767,688
—Special	22,162		22,162

1	Lake Forest	290,367	193,578	483,945
2	Milford	313,375	208,917	522,292
3	Smyrna	386,434	257,623	644,057
4	Cape Henlopen	348,186	232,124	580,310
5	-Special	33,491		33,491
6	Delmar	99,653	66,435	166,088
7	Indian River	674,186	449,457	1,123,643
8	-Special	15,189		15,189
9	Laurel	155,381	103,587	258,968
10	Seaford	258,170	172,113	430,283
11	Woodbridge	168,678	112,452	281,130
12	Polytech	147,288		147,288
13	Sussex Technical	175,425		175,425
14	New Castle VoTech	558,647		558,647
15	Campus Community	53,412		53,412
16	Academy of Dover	35,110		35,110
17	ASPIRA Academy	42,082		42,082
18	DAPSS	23,905		23,905
19	Delaware Military Academy	69,224		69,224
20	East Side Charter	48,805		48,805
21	Family Foundations	94,498		94,498
22	Gateway Charter	28,013		28,013
23	Kuumba Academy	32,744		32,744
24	Delaware College			
25	Prep Academy	28,885		28,885
26	Maurice Moyer Academy	22,660		22,660
27	M.O.T. Charter	84,662		84,662
28	Newark Charter	167,706		167,706
29	Odyssey Charter School	73,582		73,582
30	Positive Outcomes	15,314		15,314

1	Providence Creek	86,530		86,530
2	Sussex Academy of Arts	42,331		42,331
3	Thomas Edison	92,506		92,506
4	Prestige Academy	37,102		37,102
5	Reach Academy	48,556		48,556
6	Wilmington Charter	120,768		120,768
7	Total to Schools	\$10,693,200	\$5,569,187	\$16,262,387
8	Vocational Equipment	85,000	56,667	141,667
9	State Board Contingency	115,000	76,667	191,667
10	TOTAL	\$10,893,200	\$5,702,521	\$16,595,721
11		<u>Maximum</u>	<u>Maximum</u>	
12	School District	State Share	Local Share	Total Cost
13	Appoquinimink	\$723,487	\$482,325	\$1,205,812
14	Brandywine	790,122	526,748	1,316,870
15	Special	19,046		19,046
16	Christina	1,202,917	801,945	2,004,862
17	Special	63,073		63,073
18	Colonial	733,133	488,755	1,221,888
19	Special	11,873		11,873
20	New Castle VoTech	562,465		562,465
21	Red Clay	1,216,348	810,899	2,027,247
22	Special	18,180		18,180
23	Caesar Rodney	482,547	321,698	804,245
24	Special	26,961		26,961
25	Capital	469,784	313,189	782,973
26	Special	24,240		24,240
27	Lake Forest	279,748	186,499	466,247
28	Milford	311,878	207,919	519,797
29	Polytech	149,150		149,150
30	Smyrna	388,457	258,971	647,428
31	Cape Henlopen	354,620	236,413	591,033
32	Special	31,537		31,537

	<u>Maximum</u>	<u>Maximum</u>	
<u>School District</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Cost</u>
Delmar	99,953	66,635	166,588
Indian River	691,579	461,053	1,152,632
Special	14,222		14,222
Laurel	158,425	105,617	264,042
Seaford	258,674	172,449	431,123
Sussex Technical	184,396		184,396
Woodbridge	171,337	114,225	285,562
Campus Community	50,830		50,830
Academy of Dover	38,091		38,091
ASPIRA Academy	54,292		54,292
DAPSS	40,812		40,812
Delaware Military Academy	70,246		70,246
East Side Charter	49,840		49,840
Family Foundations	102,030		102,030
Gateway Charter	25,724		25,724
Kuumba Academy	36,855		36,855
Delaware College Prep Academy	26,961		26,961
Maurice Moyer Academy	28,074		28,074
M.O.T. Charter	83,974		83,974
Newark Charter	217,664		217,664
Odyssey Charter School	86,818		86,818
Positive Outcomes	14,841		14,841
Providence Creek	86,200		86,200
Sussex Academy of Arts	50,953		50,953
Thomas Edison	92,507		92,507

School District	Maximum State Share	Maximum Local Share	Total Cost
Prestige Academy	35,494		35,494
Reach Academy	57,879		57,879
Wilmington Charter	119,963		119,963
Total to Schools	\$10,808,200	\$5,555,340	\$16,363,540
Vocational Equipment	85,000	56,667	141,667
TOTAL	\$10,893,200	\$5,612,007	\$16,505,207

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

Section 114. Dickinson High School. Funding provided to the Red Clay School District for Equalization as provided for in the Fiscal Year 2014 2015 Annual Appropriations Act shall be contingent upon the following:

- (a) The lighted football field at Dickinson High School may be used at night only for Dickinson home games and Dickinson band practice; and
- (b) The district is required to maintain the fencing between Dickinson High School and the community of Montclare, keep the gate between the properties locked at all times (except by mutual agreement between the district and the Montclare Civic Association), and provide, maintain and replace, if necessary, the Leland Cypress trees along the fence line bordering the homes on Salem Drive.

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

Section 116. School District Financial Reviews. It is the intent of the General Assembly that, for school districts receiving funds appropriated in the Section 1 Addendum to this Act, should a school district financial position report as required under 14 Del. C. § 1507 demonstrate less than one month of carryover, or if at any time during the course of the fiscal year a school district is projected to not be able to satisfy its local payroll obligations, the Director

1 of the Office of Management and Budget, in coordination with the Secretary of Education and Controller General, is
2 authorized to conduct a comprehensive review of the school district's capital construction program.

3 **Section 117. School Construction Contractual Documents.** Effective January 1, 2007, all school districts
4 that receive state funds for major capital construction projects shall use standard bid and contract documents
5 developed by the Office of Management and Budget, Facilities Management. School districts may enhance the
6 standard bid and contract documents with additional contractual or project-specific requirements, as long as the
7 enhancements do not diminish and are not in conflict with the provisions of the standard documents. The
8 Department of Education, in consultation with the Office of Management and Budget, Facilities Management, shall
9 approve any modifications or changes to the provisions of the standard bid and contract documents before a school
10 district may use or enhance the modified documents.

11 **Section 118. Milford School District - Access Road.** To ~~insure~~ ensure that property owned by the Milford
12 School District is used in accordance with the priorities established by the Milford School District Board of Education,
13 no state agency or municipality shall use said district property for any type of additional access road without the
14 approval of the Milford School District Board of Education. If the Milford School District Board of Education does
15 not publicly endorse, by affirmative vote, the placement of an additional access road on district property, no state
16 agency or municipality shall be authorized to condemn such district property for said use.

17 **Section 119. Brandywine School District Conveyances.** ~~(a) The General Assembly hereby determines~~
18 ~~that it is in the public interest to reclaim a portion of the 13.97 acre parcel of land at 500 Duncan Road, Wilmington,~~
19 ~~DE 19809 (New Castle County tax parcel ID number 06-132.00-188) (the Duncan Road Parcel) held in a~~
20 ~~governmental capacity by the Brandywine School District in order for the State of Delaware to convey to the~~
21 ~~Edgemoor Community Center, Inc. (ECC), a not for profit corporation of the State of Delaware, an approximately 3.2~~
22 ~~acre portion of said parcel (the ECC Parcel). ECC has provided vital services to the citizens of Delaware since 1978,~~
23 ~~and has occupied the ECC Parcel exclusively since 1989. The General Assembly recognizes that as a titled owner of~~
24 ~~the ECC Parcel, ECC will be better able to serve the citizens of Delaware and be better positioned to receive grants,~~
25 ~~including facilities improvement grants. In addition, as a titled holder, ECC may immediately be able to lower its~~
26 ~~operational costs as it will be able to renegotiate as a secured property holder outstanding debt currently being~~
27 ~~financed at unsecured debtor rates.~~

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

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

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

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

8 (2) — By an arc curving to the right having a radius of 666.30 feet, an arc distance of 155.22 feet
9 (CHD=South 49 degrees, 39 minutes, 04 seconds West, 154.87 feet) to a point of tangency, thence;

10 (3) — South 56 degrees, 19 minutes, 30 seconds West, 24.56 feet to a point in line of Tax Parcel No. 06-
11 132.00 188, thence, through the aforesaid tax parcel the following twenty seven courses and
12 distances, and also parallel to the proposed curb the next four courses and distances;

13 (4) — By an arc curving to the right having a radius of 18.00 feet, an arc distance of 9.97 feet (CHD=North
14 49 degrees, 32 minutes, 37 seconds West, 9.84 feet) to a point, thence;

15 (5) — North 33 degrees, 40 minutes, 30 seconds West, 59.06 feet to a point of curvature, thence;

16 (6) — By an arc curving to the left having a radius of 126.00 feet, an arc distance of 89.83 feet
17 (CHD=North 54 degrees, 05 minutes, 57 seconds West, 87.94 feet) to a point of tangency, thence;

18 (7) — North 74 degrees, 31 minutes, 23 seconds West, 24.34 feet to a point, thence through the existing
19 baseball field;

20 (8) — North 36 degrees, 43 minutes, 40 seconds East, 199.57 to a point behind the proposed curb, thence,
21 parallel with same the next two courses an distances;

22 (9) — South 53 degrees, 56 minutes, 32 seconds East, 69.07 feet to an point, thence crossing the proposed
23 lane;

24 (10) — North 35 degrees, 57 minutes, 46 seconds East, 27.99 feet to a point behind the existing curb, thence
25 parallel to the aforesaid existing curb;

26 (11) — North 53 degrees, 35 minutes, 55 seconds West, 80.57 feet to a point of curvature, thence;

27 (12) — By an arc curving to the right having a radius of 70.00 feet, an arc distance of 20.54 feet
28 (CHD=North 45 degrees, 11 minutes, 30 seconds West, 20.47 feet) to a point of tangency, thence;

29 (13) — North 36 degrees, 47 minutes, 06 seconds West, 14.08 feet to a point of curvature, thence;

30 (14) — By an arc curving to the left having a radius of 12.50 feet, an arc distance of 3.46 feet (CHD=North
31 44 degrees, 42 minutes, 59 seconds West, 3.45 feet) to a point of tangency, thence;

32 (15) — North 52 degrees, 38 minutes, 53 seconds West, 9.04 feet to a point, thence;

33 (16) — North 46 degrees, 44 minutes, 48 seconds West, 4.76 feet to a point, thence;

34 (17) — North 54 degrees, 03 minutes, 32 seconds West, 20.41 feet to a point, thence;

35 (18) — North 25 degrees, 50 minutes, 17 seconds East, 14.16 feet to a corner of an existing loading dock,
36 thence;

37 (19) — North 28 degrees, 53 minutes, 25 seconds East, 16.46 feet to a point, thence;

38 (20) — North 34 degrees, 57 minutes, 29 seconds East, 9.27 feet to a point on the exterior building wall,
39 thence through the existing wall;

40 (21) — South 59 degrees, 52 minutes, 12 seconds East, 4.22 feet to a point in the center of a new division

- 1 wall, thence, with same;
- 2 (22) — North 35 degrees, 34 minutes, 51 seconds East, 17.34 feet to a point on the face of an existing
3 hallway wall, thence;
- 4 (23) — South 63 degrees, 46 minutes, 07 seconds East, 1.45 feet to a point on the roof overhang and the
5 edge of an interior courtyard, thence, with same the next two courses and distances;
- 6 (24) — North 35 degrees, 50 minutes, 53 seconds East, 95.51 feet to a point, thence;
- 7 (25) — South 54 degrees, 48 minutes, 34 seconds East, 6.12 feet to a point in line of a new doorway
8 threshold, thence, with same;
- 9 (26) — North 36 degrees, 03 minutes, 21 seconds East, 23.61 feet to a point in line of a retaining wall,
10 thence, with same the next four courses and distances;
- 11 (27) — North 53 degrees, 42 minutes, 38 seconds West, 2.07 feet to a point, thence;
- 12 (28) — North 35 degrees, 19 minutes, 14 seconds East, 31.69 feet to a point, thence;
- 13 (29) — North 54 degrees, 45 minutes, 19 seconds West, 2.47 feet to a point, thence;
- 14 (30) — North 35 degrees, 48 minutes, 20 seconds East, 40.90 feet to a point along the existing back of curb,
15 thence, parallel with same the next two courses and distances;
- 16 (31) — By an arc curving to the left having a radius of 52.00 feet, an arc distance of 25.11 feet (CHD=North
17 50 degrees, 07 minutes, 28 seconds East, 24.87 feet) to a point of tangency, thence;
- 18 (32) — North 35 degrees, 55 minutes, 26 seconds East, 12.54 feet to a point on the aforesaid side of
19 Brandywine Boulevard, thence, with same;
- 20 (33) — South 54 degrees, 04 minutes, 34 seconds East, 337.87 feet to the Point of Beginning. —

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

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

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

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

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

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

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

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

25 These conveyances shall be "as is" in that BCRC shall accept any buildings erected on the parcels in their
26 present condition as of the time of conveyance, and shall be subject to all other covenants, conditions, restrictions and
27 easements of record, this reference to which shall not be construed to reimpose the same. The Brandywine School
28 District and BCRC shall also negotiate in good faith to agree on mutually acceptable easements and agreements to

1 address issues including cross access, maintenance, and shared use of property that BCRC and Brandywine School
2 District deem necessary or appropriate.

3 **Section 120. Claymont Community Center.** In connection with the transfer of property directed pursuant
4 to 77 Del. Laws, c. 329, § 135(b) the Brandywine Community Resource Council Inc. (BCRC) shall be liable for the
5 payment of survey(s) and/or related transaction costs necessary to determine whether any portion of the land that was
6 conveyed pursuant to the above authority are portions of land originally acquired by the Delaware Department of
7 Transportation (DOT) for right-of-way purposes for the construction of Interstate 95. To the extent any survey
8 confirms that any portion of such lands are, in fact, owned by the DOT, and notwithstanding any provisions of 17 Del.
9 C. § 137 to the contrary, the DOT, after receiving any and all necessary approvals from the federal government or any
10 agent thereof for transfer of such land, is further authorized to execute any and all necessary deeds to convey said
11 portions of land to the BCRC and/or the Brandywine School District on the same terms and conditions as the
12 Brandywine School District's related conveyance to the BCRC pursuant to the above authority.

13 **Section 121. Milford Transfer of Major Capital Construction Funds.** In accordance with the provisions
14 of 77 Del. Laws, c. 223 § 1, the Milford School District, with the approval of the Director of the Office of
15 Management and Budget and the Controller General, is authorized to transfer funds between any major capital
16 improvement certificates of necessity that were part of the referendum approved on February 15, 2007.

17 **Section 122. Appoquinimink School District - Silver Lake Elementary School (ES) Roof.** The Section 1
18 Addendum to this Act appropriates \$929,600 for the Appoquinimink School District Silver Lake Roof MCI project.
19 Pursuant to 29 Del. C. §7528(b) and (e), the local share of said project shall be \$619,700. In order to facilitate the
20 completion of the roof renovation by the start of 2013-2014 school year, given the safety issues affecting various
21 classrooms at Silver Lake Elementary School, the Appoquinimink School District is retroactively authorized during
22 Fiscal Year 2013 to use local balances in Appropriation 91214 (Match - Extra Time), Appropriation 91210 (Match -
23 Tech), Appropriation 91150 (MCI - Local) and Appropriation 98000 (Operations - Local) for the Silver Lake Roof
24 MCI project and said funds shall constitute the local match as required by this Section. The Appoquinimink School
25 District shall reimburse, in full, the local balances used from said appropriations from the local contribution levied for
26 the Silver Lake Roof MCI project no later than June 30, ~~2014~~ 2015 (~~district wants 2015~~). The district shall provide the
27 Secretary of the Department of Education, the Controller General, and the Director of Office of Management and
28 Budget notification of the reimbursement by the end of Fiscal Year ~~2014~~ 2015.

1 **Section 123. Cape Henlopen School District - Sussex Consortium.** Notwithstanding the provisions of any
2 other state law, the Sussex Consortium currently housed in the Fred Thomas Building will be relocated into the Lewes
3 School during Fiscal Year 2014 to accommodate space needs. District offices and Osher Lifelong Learning classes
4 will relocate from the Lewes School to the Fred Thomas Building. All necessary renovations to the Lewes School to
5 facilitate the relocation will be funded locally. The Lewes School will not be considered a 100 percent State funded
6 school, for the purpose of major capital projects, until Fiscal Year 2019.

7 **Section 124. Smyrna School District Transfer.** The Smyrna School District, with the approval of the
8 Secretary of Education, Director of the Office of Management and Budget and the Controller General, is authorized to
9 transfer non-obligated major capital improvement funds from the new Clayton Intermediate School project (Certificate
10 of Necessity # - CN 0824A-B) for district-wide capital improvements considered necessary for the safety and welfare
11 of students. The funds would be used for repairs to the roofing systems at Smyrna Elementary School, John Bassett
12 Intermediate School and the Thomas D. Clayton Building.

13 **Section 125. Laurel School District Transfer.** The Laurel School District, with the approval of the
14 Secretary of Education, Director of the Office of Management and Budget and the Controller General, is authorized to
15 transfer non-obligated major capital improvement funds from the 1,400 student High School/Middle School Combined
16 Facility project (Certificate of Necessity # - CN 1216 A-B) for district-wide capital improvements considered
17 necessary for the safety and welfare of students. The funds would be used for improvement to and/or construction of
18 the High School/Middle School athletic facilities.

19 **Section 126. Bond Verification.** All bonds issued, or herein before or herein authorized to be issued, by the
20 State are hereby determined to be within all debt and authorization limits of the State.

21 **Section 127. Inconsistency.** Insofar as the provisions of this Act are inconsistent with the provisions of
22 any general, special or local laws, or parts thereof, the provisions of this Act shall be controlling.

23 **Section 128. Severability.** If any section, part, phrase or provision of this Act or the application thereof be
24 held invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section,
25 part, phrase, provision or application directly involved in the controversy in which such judgment shall have been
26 rendered and shall not affect or impair the validity of the remainder of this Act or the application thereof.

27 **Section 129. Effective Date.** This Act shall take effect in accordance with the provisions of state law.

SYNOPSIS

This Bill is the Fiscal Year 2015 Bond and Capital Improvements Act.

**Delaware Department of Transportation
FY2015 Capital Transportation Program
Appendix A**

	Other Funding	Federal Authorization	State Authorization	FY 2015 Authorization
ROAD SYSTEM				
A. Expressways				
I-95 and SR 141 Interchange, Ramps G and F Improvements		\$20,000,000		\$20,000,000
Road A/SR 7 Improvement		\$960,000	\$240,000	\$1,200,000
U.S. 301 GARVEE Debt Service		\$10,983,288		\$10,983,288
Subtotal Expressways	\$0	\$31,943,288	\$240,000	\$32,183,288
B. Arterials				
Elkton Road, Maryland State Line to Casho Mill Road Improvements		\$500,000		\$500,000
U.S. 40 and SR 896 Grade Separated Intersection			\$1,000,000	\$1,000,000
U.S. 40 Pulaski Highway and SR 72 Wrangle Hill Road Intersection Improvements		\$7,000,000		\$7,000,000
SR 299, SR 1 to Catherine Street Improvements		\$500,000		\$500,000
SR 1 Bay Road and K 19 Thompsonville Road Intersection Improvements		\$4,000,000	\$3,200,000	\$7,200,000
Loockerman Street/Forrest Avenue Improvements			\$300,000	\$300,000
SR 1, Little Heaven Grade Separated Intersection		\$13,500,000	\$6,000,000	\$19,500,000
SR 1, NE Front Street Grade Separated Intersection			\$200,000	\$200,000
SR 1 and SR 16, Milton Grade Separated Intersection			\$1,000,000	\$1,000,000
U.S. 113, North/South Improvements		\$1,000,000		\$1,000,000
U.S. 113 at SR 18/SR 404, Georgetown Grade Separated Intersection			\$2,300,000	\$2,300,000
SR 26 Atlantic Avenue from Clarksville to Assawoman Canal Improvements	\$1,000,000	\$11,000,000		\$12,000,000
HSIP Projects	\$1,400,000	\$26,260,197	\$1,915,000	\$29,575,197
Subtotal Arterials	\$2,400,000	\$63,760,197	\$15,915,000	\$82,075,197
C. Collectors				
West Dover Connector		\$15,000,000		\$15,000,000
Crawford Carroll Road Extended, Crawford Carroll Road to U.S. 13 Improvements			\$800,000	\$800,000
Park Avenue Relocation			\$300,000	\$300,000
Subtotal Collectors	\$0	\$15,000,000	\$1,100,000	\$16,100,000
D. Locals				
Industrial Track Greenway Phase III		\$800,000	\$300,000	\$1,100,000
Recreational Trails	\$270,000	\$1,080,000		\$1,350,000
Subtotal Locals	\$270,000	\$1,880,000	\$300,000	\$2,450,000
E. Bridges				
Bridge Management Program		\$7,640,000	\$5,510,000	\$13,150,000
Bridge Preservation Program	\$2,072,969	\$14,515,106	\$8,925,018	\$25,513,093
Subtotal Bridges	\$2,072,969	\$22,155,106	\$14,435,018	\$38,663,093
F. Other				
Transportation Enhancement		\$4,162,400	\$278,100	\$4,440,500
Paving and Rehabilitation		\$13,250,000	\$85,100,000	\$98,350,000
Bicycle, Pedestrian and Other Improvements		\$1,250,000		\$1,250,000
Signage and Pavement Markings		\$1,000,000	\$2,272,000	\$3,272,000
Materials and Minor Contracts		\$1,820,322	\$6,065,000	\$7,885,322
Rail Crossing Safety Program		\$1,303,222	\$250,000	\$1,553,222
Safety Improvement Program		\$2,722,222		\$2,722,222
Traffic Calming			\$150,000	\$150,000
Engineering and Contingency		\$18,000	\$37,349,500	\$37,367,500
Intersection Improvements	\$600,000	\$1,000,000	\$668,000	\$2,268,000
Safe Routes to School		\$926,035		\$926,035
Subtotal Other	\$600,000	\$27,452,201	\$132,132,600	\$160,184,801
TOTAL ROAD SYSTEM	\$5,342,969	\$162,190,792	\$164,122,618	\$331,656,379
SUPPORT SYSTEM				
Aeronautics		\$160,000	\$296,000	\$456,000
Planning		\$5,254,591	\$3,896,648	\$9,151,239
Information Technology		\$269,800	\$6,950,000	\$7,219,800
Heavy Equipment			\$8,000,000	\$8,000,000
Transportation Facilities			\$6,000,000	\$6,000,000
Transportation Management	\$90,000	\$6,160,000	\$355,000	\$6,605,000
TOTAL SUPPORT SYSTEM	\$90,000	\$11,844,391	\$25,497,648	\$37,432,039
TRANSIT SYSTEM				
Transit Facilities		\$2,210,990	\$2,325,000	\$4,535,990
Transit Vehicles	\$213,983	\$20,474,835	\$595,100	\$21,283,918
Rail Preservation and Improvements	\$3,304,000	\$4,728,700	\$1,482,100	\$9,514,800
TOTAL TRANSIT SYSTEM	\$3,517,983	\$27,414,525	\$4,402,200	\$35,334,708
GRANTS AND ALLOCATIONS				
Municipal Street Aid			\$5,000,000	\$5,000,000
Community Transportation Fund			\$8,375,000	\$8,375,000
TOTAL GRANTS AND ALLOCATIONS	\$0	\$0	\$13,375,000	\$13,375,000
GRAND TOTAL	\$8,950,952	\$201,449,708	\$207,397,466	\$417,798,126