

From: Reeb, Ralph (DeIDOT)
Sent: Thursday, September 16, 2004 8:14 AM
To: Bishop, Theodore
Subject: FW: Bayberry Agreement

Ted - The games continue. I would like to speak with you about this when we get a minute. Thanks. R

-----Original Message-----

From: Wicks, Carolann D. (DeIDOT)
Sent: Wednesday, September 15, 2004 4:43 PM
To: Reeb, Ralph (DeIDOT)
Cc: Angelo, Michael A. (DeIDOT)
Subject: FW: Bayberry Agreement

Ralph,
I know this has been executed and I would have pressed Mike earlier for comments but I was not aware of the deadline that had been set for signing this agreement. However, I still think answering the questions is important regardless. I will get Mike the attachments but I would like Ted or someone to respond to these as well as following through with #6 & #7. If there are items that need further clarification or refinement, maybe we can do that through a MOA but it still keeps us all on the same page.

Thanks,
Carolann

-----Original Message-----

From: Angelo, Michael A. (DeIDOT)
Sent: Wednesday, September 15, 2004 4:02 PM
To: Wicks, Carolann D. (DeIDOT)
Subject: Bayberry Agreement

Carolann - after reviewing the Bayberry agreement, I have the following comments:

1. Where are the attachments? These are going to be crucial in understanding the staffing level necessary for this undertaking. *exh A, B, C*
2. Will federal funding be used on any of these projects? We need to understand what fiscal constraints we'll be working under. *896 is on the NHS*
3. Does section 112 of the bond bill relieve us from having to comply with State of Delaware procurement, and bidding procedures and requirements? *did w/ Westown page 4 says "use DeIDOT's adopted processes"*
4. When is developer required to make his contribution and who oversee's how and when the developer should make his contribution? *page 6 ... when due to contractor ... same as DeIDOT DeIDOT and NEC work out*
5. If developer holds contract, what mechanism will be in place to pay consultant and/or contractor?
6. South Construction should review and comment on how they would like to see construction administered.
7. Audit and Finance should review and comment on fiscal oversight aspects.

In general, it would be much better to have all details worked out in 1 agreement. Let me know if you have any questions.
Thanks. MAA