



**Diamond State Port Corporation  
Board of Directors**

**Resolution 26-04**

**Commitment to DCT Project**

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WHEREAS, pursuant to Resolution 24-03, the Board of Directors (the “Board”) of the Diamond State Port Corporation (“DSPC”) approved and authorized the development of Edgemoor into a commercial marine terminal facility operating as a container terminal (the “DCT Project”) to be built in partnership with Enstructure Wilmington Holdings LLC, Enstructure DCT LLC and Enstructure LLC (collectively, “Enstructure”).

WHEREAS, the cost of the DCT Project is expected to exceed the initial estimated budget.

WHEREAS, the cost increases are the result of a number of factors, including significant inflation generally since 2023, necessary scope changes triggered by a more detailed engineering analysis, in particular, with respect to the need for infrastructure to support a fully electrified facility and cost escalation and unexpected increases in equipment related to tariffs.

WHEREAS, DSPC and Enstructure are both invested in and desire for the DCT Project to proceed. To that end, DSPC is committed to vigorously defending all aspects of the DCT Project, including any future challenges to applicable permits.

WHEREAS, DSPC and Enstructure desire to enter into good faith negotiations to reach an agreement on funding responsibilities to address additional funding needs.

WHEREAS, DSPC desires for the Chair of the Board and the Chair of the DSPC Finance Committee to negotiate an agreement with Enstructure regarding additional funding responsibilities, for review and approval by the Board.

NOW, THEREFORE, BE IT RESOLVED: The Board hereby authorizes the Chair of the Board and the Chair of the DSPC Finance Committee to negotiate an agreement on funding responsibilities for review and approval by the Board; and

FURTHER RESOLVED, that the Board authorizes the defense of any challenges to the DCT Project, including intervention in third-party litigation related to permits necessary for the DCT Project; and

FURTHER RESOLVED, that any and all actions heretofore taken by any member of the Board or officer, employee or agent of DSPC in connection with or related to any of the matters set forth herein or contemplated hereby, including, without limitation, any and all actions taken in connection with the negotiation, preparation and execution of the agreements referred to in the foregoing resolutions, be, and

hereby are, ratified, confirmed and approved in all respects as fully as if such actions had been presented to the Board for its approval and approved prior to the taking of such action.

**Resolution NUMBER: 26-04: Commitment to DCT Project**

<input checked="" type="checkbox"/>	Approved by DSPC Board of Directors
<input type="checkbox"/>	Denied by DSPC Board of Directors
<input type="checkbox"/>	Decision Deferred by DSPC Board of Directors
<b>Date:</b>	April 20, 2026 DSPC Board Meeting