

**10834. RESOLUTION 14-18 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2014 THROUGH DECEMBER 31, 2014**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) adopted Resolution 01-84 requiring Commissioner review and approval of all Authority expenditures in excess of \$25,000; and

WHEREAS, the Authority anticipates expenditures at or over the \$25,000 amount to the following vendors:

DELAWARE RIVER & BAY AUTHORITY  
PROJECTED VENDORS TO BE PAID OVER \$25,000  
OPERATION EXPENDITURES  
FOR THE PERIOD 1/1/14 THROUGH 12/31/14

<b>VENDOR</b>	<b>SERVICE DESCRIPTION</b>	<b>DETERMINATION</b>	<b>APPROX. ESTIMATED \$</b>
C&A Sportswear	Various Clothing for Employee Uniforms and for Retail	Pending B&F Approval	\$42,000
Century Engineering, Inc.	US9/Freeman Highway At-Grade Rail Crossing Replacement Design, Lewes	Professional Services	\$43,000
Federal Aviation Administration (FAA)	Relocation of Glide Slope on Runway 01 at ILG	Sole Source	\$46,000
Winner Ford	Four (4) Replacement Vehicles	State Contract	\$165,000

NOW, THEREFORE, BE IT RESOLVED, that the Authority authorizes expenditures to the above listed vendors for the described purposes and authorizes payment.

A motion to approve Resolution 14-18 was made by Commissioner Lathem, seconded by Commissioner Traynor, and approved by a roll call vote of 12-0.

## **Resolution 14-18 Executive Summary Sheet**

**Resolution:** Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2014 through December 31, 2014.

**Committee:** Budget & Finance

**Committee and Board Date:** June 17, 2014

### **Purpose of Resolution:**

Authorizes the expenditure of \$25,000 or greater with the identified vendors for the calendar year.

### **Background for Resolution:**

The proposed Resolution meets the requirements of Resolution 01-84, whereby the Authority shall not enter into any contract committing the Authority to spend or make any other expenditures relating to services, material and supplies in the amount of \$25,000 or more unless it has first been approved by a vote of Commissioners.

### **Background for the specific purchases:**

#### Various Clothing for Employee Uniforms and for Retail

The Authority utilizes C&A Sportswear to supply Cape May-Lewes Ferry and On the Rocks logo apparel for our CMLF Food & Retail, Marine and Customer Service departments. The estimated cost of the employee uniforms and retail goods supplied by C&A Sportswear throughout 2014 is expected to be approximately \$42,000. Part of this cost includes a 50th Anniversary logo "Crew" polo shirt to be provided to each permanent staff member. Before it was determined that expenditures would exceed the \$25K threshold, the Authority solicited and received one quote from a local vendor and determined that C&A Sportswear offered better value and quality. The timing of this matter requires the use of this particular vendor, furthermore, choosing to switch vendors at this point would likely lead to quality issues and nonconforming products.

Respectfully, the Budget and Finance Committee is asked, in consideration of the overall procurement process, our need for uniformity in goods specific to this purchase, and the unique needs of the Authority, to authorize a one-time waiver of the \$25,000 threshold, applicable to this specific vendor and during this year 2014 only.

US9/Freeman Highway At-Grade Rail Crossing Replacement Design, Lewes

The Authority owns and maintains Freeman Highway, including the railroad crossing, as a thoroughfare to the Lewes Terminal. Ownership of the rail line lies with Delaware Transit Corporation, a division of DelDOT, who leases the line to Delaware Coast Line Railroad (DCLR). The Authority is engaging Century Engineering to provide the professional services necessary to develop final plans for the replacement of the existing Highway/Rail at-grade crossing. Services to be performed include field surveys, final plans, and utility coordination. Century Engineering has more than 25 years of experience within the State of Delaware for railroad crossing improvements. Century's experience in this line of work will serve to expedite design and cut the review time required by the other stakeholder agencies. The proposed cost is approximately \$43,000.

#### Relocation of Glide Slope on Runway 01 at ILG

The Authority is entering into a reimbursable agreement with the FAA to perform the review of a DRBA-provided design package for the Relocation of Guide Slope on Runway 01 at New Castle Airport. The design review is to ensure conformance with FAA design standards. The DRBA (sponsor) is responsible for prepaying the entire estimated cost of the agreement.

#### Four (4) Replacement Vehicles

The DRBA evaluates its vehicles and equipment for replacement according to written replacement criteria. The Authority has determined that four (4) Ford trucks with snow plows have exceeded their useful life and meet the written replacement criteria as set by the Authority. Each of the four vehicles will be replaced with a similar model and sold at public auction. Winner Ford holds a state contract to supply the vehicles and offers the Authority pricing pursuant to said state contract. The estimated cost of this purchase is \$165,000.

### **Background for Determination category:**

#### **Pending B&F Approval:**

Resolution 98-31, part 3: "The Budget and Finance Committee in consideration of the overall procurement process, operational needs and issues, the need for uniformity and continuity in materiel and services required by the Authority, the unique and special needs of the Authority including, but not limited to, the desirability of owner furnished materiel and supplies in vessel repair, maintenance, renovation and rehabilitation, may increase or waive the thresholds established in paragraphs 1 and 2 of this Resolution, and shall report their action at the next meeting of the Commissioners."

#### **Professional Services:**

Resolution 98-31, as amended by Resolution 09-52, Part 1.a., specifies that the public advertisement requirement and qualifications-based selection process for procuring professional

services are to be instituted if the value of the service is expected to exceed \$50,000. Resolution 98-31, as amended by Resolution 01-84, specifies that the Authority shall not enter into any contract committing the Authority to spend \$25,000 or more unless the expenditure has first been approved by a vote of Commissioners. This professional service expenditure falls within the \$25,000-50,000 range.

**State Contract:**

Resolution 98-31, as amended by Resolution 11-36 (paragraph 2, subsection a) provides that, “[t]his [competitive bidding] provision shall not apply to purchases by the Authority from suppliers in cases where the Authority is purchasing at prices pursuant to contracts awarded by the States of Delaware or New Jersey for state agencies.”

**Sole Source:**

Sole source means that a single vendor is uniquely qualified to meet the Authority’s procurement objective. Some examples include any product or service that is the only one that will meet a need and can only be purchased from one source, products specifically required for use in conjunction with a grant or contract, products or services controlled or mandated by a local utility, government or exclusive distributor. Resolution 98-31 (paragraph 2, subsection f) provides that, “[a] contract may be awarded without competition if the General Manager or Director of Operations of an Authority facility, or Police Administrator, prior to procurement, determines in writing that there is only one source for the required contract”.