

**RESOLUTION 23-19 - AUTHORIZING AUTHORITY EXPENDITURES
PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2023, THROUGH
DECEMBER 31, 2023**

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
VENDORS PROJECTED TO BE PAID OVER \$25,000
FOR THE PERIOD 1/1/23 THROUGH 12/31/23

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Boro Sawmill & Timber Co.	Replacement Edge Boards for Lewes Terminal Boardwalk	Quotes	\$26,000
Clark Equipment Company d/b/a Bobcat Company	Replacement Skid Steer Machine	State Contract	\$73,000
Deere & Company c/o Atlantic Tractor LLC	Replacement Tractors	State Contract	\$218,000
Embankscape Equipment LLC d/b/a RC Mowers	Bank Machine Mower	State Contract	\$64,000
Penton Audio USA	Replacement Drivers for Speaker Systems at Cape May and Lewes Ferry Terminals	Proprietary	\$100,000
Tri-State Carpet, Inc.	ILG Terminal Flooring Upgrades	Quotes	\$30,000

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

Resolution 23-19 Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2023, through December 31, 2023.

Committee: Budget & Finance

Committee and Board Date: April 18, 2023

Purpose of Resolution:

Authorizes expenditures of \$25,000 or greater with the identified vendors during the 2023 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.

Purchase Detail:

Boro Sawmill & Timber Co.: Replacement Edge Boards for Lewes Terminal Boardwalk
The Authority plans to replace the edge boards located on the boardwalk at the Lewes Terminal. Staff solicited three (3) quotes with Boro Sawmill & Timber Co. submitting the lowest quote in accordance with the Authority's specifications.

Clark Equipment Company d/b/a Bobcat Company: Replacement Skid Steer Machine
The Authority plans to replace one (1) skid steer machine at the Delaware Memorial Bridge complex as the previous machine has exceeded its useful life and is currently programmed in the 2023 Capital Equipment Replacement Plan. The machine will be purchased at prices pursuant to the state contract (*GSS21673-GRND-MAINT*).

Deere & Company c/o Atlantic Tractor, LLC: Replacement Tractors
The Authority plans to replace two (2) grounds maintenance tractors at the Millville and Cape May airports that have exceeded their useful life and are currently programmed in the 2023 Capital Equipment Replacement Plan. The tractors will be purchased at prices pursuant to the state contract (*GSS20750-EQUIP*).

Equipment LLC d/b/a RC Mowers: Bank Machine Mower
The Authority plans to replace one (1) remote control bank machine mower at the Delaware Memorial Bridge as the previous equipment has exceeded its useful life and is currently programmed in the 2023 Capital Equipment Replacement Plan. The mower will be purchased at prices established by the HGAC's cooperative purchasing contract for Grounds & Turf Equipment (*GR01-20*) as awarded to RC Mowers. All HGAC contracts have been awarded by virtue of a public competitive procurement process and the State of Delaware is a participating end user of the HGAC cooperative.

Penton Audio USA: Replacement Drivers for Speaker Systems at Cape May and Lewes Ferry Terminals

Penton Audio is the proprietary vendor of speaker system equipment utilized by the Authority at the Cape May and Lewes Ferry terminals. The Authority plans to replace the existing drivers in the speaker systems as they have deteriorated due to the harsh environmental conditions with new drivers supplied by Penton Audio.

Tri-State Carpet, Inc: ILG Terminal Flooring Upgrades

The Authority plans to remove the existing carpet and install new carpet and vinyl stairway risers on the second floor of the ILG Terminal Building. Staff solicitation quotes from four (4) contractors with Tri-State Carpet submitting the lowest quote in accordance with the Authority's specifications.

Classification Definitions:

Proprietary. A purchase necessary to support or maintain existing Authority equipment for which a vendor has the right to prohibit an equivalent product from being supplied. Similar products or services may be available, however the Authority must purchase from the original equipment manufacturer or service provider to uphold a contract, warranty, etc. A proprietary specification typically restricts the acceptable product or service to one manufacturer or vendor; although the product or service may be available from more than one distributor. In another typical example of this classification, a purchase of closed-source commercial software would be categorized as proprietary because the software remains the property of its owner/creator and is utilized by end-users (such as the Authority) under predefined conditions.

Quotes. A purchase of equipment, supplies or non-professional services or a contract for construction or construction management that is anticipated to cost between \$25,000 and \$49,999 during a calendar year and for which the Authority has solicited written quotes. *“Contracts for materiel and supplies and non-professional services, awarded to any [vendor for an amount of] more than \$25,000 but less than \$50,000 in the aggregate require the solicitation of three written quotes or all available sources, whichever is less... Construction management contracts or construction contracts...which are less than \$50,000 do not require formal solicitation of competitive prices and, if more than \$25,000 but less than \$50,000 require the solicitation of three written quotes or all available sources, whichever is less...”* (DRBA Resolution 98-31 Part 4).

State Contract. A purchase of equipment, supplies or non-professional services which, under normal circumstances, would require competitive bidding, however the vendor has agreed to provide the goods or services to the Authority at fees less than or equal to that vendor's respective contract as awarded by the State of Delaware or New Jersey. *“Any contract for the purchase of materiel and supplies and non-professional services....which contract individually exceeds \$50,000, or in the combination with other contracts, exceeds \$50,000 in any one calendar year shall be pursuant to a contract entered into by the Authority after competitive bidding. This 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.”* (DRBA Resolution 11-36 Part 2.a.).