

12489. **RESOLUTION 25-36 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 24-17 FOR THE PERIOD, JANUARY 1, 2025, THROUGH DECEMBER 31, 2025**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) adopted Resolution 24-17 requiring Commissioner review and approval of any professional service contract, non-professional service contract, materiel contract, or supply contract valued at \$50,000 or above and any construction management or construction contract valued at \$200,000 or above; and

WHEREAS, the Authority anticipates expenditures at or above the aforementioned thresholds to the following vendors:

DELAWARE RIVER & BAY AUTHORITY
VENDORS PROJECTED BE AWARDED
A MATERIEL, SUPPLY, PROFESSIONAL SERVICE, OR NON-PROFESSIONAL SERVICE CONTRACT
VALUED \$50,000 OR ABOVE
OR
A CONSTRUCTION MANAGEMENT/CONSTRUCTION CONTRACT
VALUED \$200,000 OR ABOVE
DURING THE PERIOD 1/1/25 THROUGH 12/31/25

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Carter Machinery Company, Inc.	M/V Delaware Generators Upgrade	Sole Source	\$876,000
Daktronics, Inc.	Variable Message Displays at Wilmington Airport	Proprietary	\$57,000
Engine Monitoring, Inc. (EMI), a Division of W&O	M/V Delaware Steering System	Proprietary	\$226,000
Fortbrand Holdco LLC d/b/a Fortbrand Services LLC	Seasonal Lease for Snow Removal Equipment at Wilmington Airport	Committee Waiver	\$133,000

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

Resolution 25-36 was moved by Commissioner Faust, seconded by Commissioner Mehaffey, and was approved by a roll call vote of 10-0.

Resolution 25-36 Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 24-17 for the period January 1, 2025, through December 31, 2025.

Committee: Budget & Finance

Committee and Board Date: September 16, 2025

Purpose of Resolution:

To receive Commissioner approval of the identified vendors and expenditures for those specific professional service contracts, non-professional service contracts, materiel, and supply contracts valued at \$50,000 or above, and for those specific construction management or construction contracts valued at \$200,000 or above, that otherwise would require a public competitive process per Resolution 24-17.

Background for Resolution:

The proposed Resolution meets the requirements of Resolution 24-17, 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 \$50,000 or more, or a construction management or construction contract in the amount of \$200,000 or more, unless it has first been approved by a vote of Commissioners.

Purchase Detail:

Carter Machinery Company, Inc.: M/V Delaware Generators Upgrade

The Authority plans to replace the existing aging service generators on board the M/V Delaware. Carter Machinery is the sole manufacturer for Caterpillar generator equipment. This expenditure for a complete upgrade includes purchase and installation during the scheduled M/V Delaware dry-docking.

Daktronics, Inc.: Variable Message Displays at Wilmington Airport

The Authority plans to purchase three (3) new Variable Message Display (VMS) boards for Wilmington Airport. The VMS boards will be placed at the entrance of each parking lot to communicate parking availability to airline passengers. A key component of the system is the proprietary Daktronics software, which the Authority uses to manage current VMS boards at other facilities. By continuing with Daktronics, it ensures that all displays are uniform in presence, fully compatible with our existing infrastructure, and can be maintained by Authority trained staff.

Engine Monitoring, Inc. (EMI), a Division of W&O: M/V Delaware Steering System

Due to increased failures and escalating repair costs, the Authority plans to purchase a new steering system for installation during the scheduled M/V Delaware dry-docking. EMI was previously selected to replace the steering system onboard the M/V Cape Henlopen. For consistency purposes in simplifying the system technology, maintenance, and spare parts across the CMLF fleet, EMI has been determined as the proprietary steering system vendor.

Fortbrand Holdco LLC d/b/a Fortbrand Services LLC: Seasonal Lease for Snow Removal Equipment at Wilmington Airport

The Authority plans to enter into a 2025-2026 seasonal lease for snow removal equipment to be used at Wilmington Airport. This expenditure includes the lease of a used Vammas PSB 5500 and delivery to the airport. Fortbrand has been identified as the exclusive North American distributor for airport snow

removal and maintenance equipment. As this expenditure exceeds the threshold, a Committee Waiver is requested.

Classification Definitions:

Committee Waiver. The Budget and Finance Committee, in consideration of the DRBA's overall procurement process, may increase or waive the competitive solicitation thresholds established in paragraphs 1 and 2 of Resolution 24-17 for the following reasons: operational needs and issues, a need for uniformity and continuity in materiel and services required by the Authority, and unique or 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 (DRBA Resolution 24-17, Section 3).

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.

Sole Source. A purchase made without a competitive process, based on the justification that only one known source exists or that only one single supplier can fulfill the requirements of the Authority. Sole source procurement is appropriate when the goods or services being acquired: are uniquely qualified to meet the objectives of the Authority; must be compatible with existing equipment; are available within a limited geographic boundary (e.g., distributor with exclusive rights or sales area); are required for use in conjunction with a grant or contract, etc. *"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 and no other reasonable alternative sources exist that will satisfy the requirements of the Authority".* (DRBA Resolution 24-17 Part 2.f.).