

12640 RESOLUTION 26-39 – ADOPTION OF A STATEMENT OF POLICY RELATING TO PROCEDURES FOR NO-BID SITUATIONS FOR DRY-DOCKING REPAIR PROJECTS

WHEREAS, the Cape May–Lewes Ferry (“CMLF”) operates within a limited market of qualified shipyards that are located within a reasonable distance of its service area and that maintain limited drydock availability; and

WHEREAS, the Delaware River and Bay Authority’s (the “Authority”) CMLF vessels are subject to mandatory drydocking and maintenance requirements that must be completed within prescribed regulatory and operational timeframes; and

WHEREAS, failure to complete required repairs or drydocking within these timeframes may result in vessels being removed from service adversely impacting services provided to the traveling public or in regulatory non-compliance; and

WHEREAS, the Authority desires to adopt a statement of policy governing situations following no responsive bids or bids that substantially exceed the budget that have been rejected by the Board of Commissioners for a publicly bid shipyard dry-docking repair project where the unexpected failure of the competitive procurement process combined with limited shipyard capacity and impending regulatory and operational deadlines would create a situation where public rebidding could not reasonably be completed without risking vessel unavailability, interruption of public transportation services or regulatory non-compliance; and

THEREFORE, BE IT RESOLVED, that the Authority hereby approves and adopts the attached *Guidelines Following No-Bid Response to Public Advertisement for Bids for Critical Shipyard Dry-Docking Repair Services*.

Resolution 26-39 was moved by Commissioner Houghton, seconded by Vice Chairperson Ratchford, and was approved by a roll call vote of 11-0.

Resolution 26-39 Executive Summary Sheet

Resolution: Adopts a Statement of Policy governing situations following no responsive bids or bids that substantially exceed the budget that have been rejected by the Board of Commissioners for a publicly bid shipyard dry-docking repair project.

Committee: Budget & Finance Committee

Committee/

Board Date: September 15, 2026

Purpose of Resolution: Following receipt of no responsive bids or bids that substantially exceed the budget that have been rejected by the Board of Commissioners for a publicly bid shipyard dry-docking repair project and a critical timing determination, the Authority will have the ability to solicit quotations from qualified and responsible shipyards that subscribed to the original Contract Documents

Background for Resolution: The Authority's CMLF vessels operate within a limited market of qualified shipyards that are located within a reasonable distance of its service area and that maintain limited drydock availability. There are times when the Authority publicly bids a dry-docking repair project and does not receive any responsive bids or only receives bids that substantially exceed the budget that have been rejected by the Board of Commissioners for such dry-docking repair project. In some cases, there is an urgent need for such dry-docking repair projects to be completed that limit the Authority's ability to public rebid such dry-docking repair projects.