

9813. RESOLUTION 08-34 – ADOPTS A DISADVANTAGED BUSINESS ENTERPRISE (DBE) POLICY FOR ALL AUTHORITY-FUNDED CAPITAL CONSTRUCTION CONTRACTS IN EXCESS OF \$250,000

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a bi-state Authority created by Compact for the purpose of owning, operating and controlling both Crossing and Non-Crossing facilities; and

WHEREAS, the Authority instituted a Disadvantaged Business Enterprise (“DBE”) Program Policy in 1996, as required by the Federal Aviation Administration (“FAA”) under Regulation 49 CFR Part 26, as a condition of accepting FAA funding for airport projects; and

WHEREAS, the Authority currently incorporates Federal DBE requirements in all Airport Improvement Projects of the Authority that receive FAA funding in excess of \$250,000; and

WHEREAS, the Authority implemented and completed a two year trial policy incorporating this same methodology to include Disadvantaged, Minority-owned and Women-owned Business Enterprises in all Authority-funded capital construction projects in excess of \$250,000; and

WHEREAS, the Authority DBE Policy for all Authority-funded capital construction contracts in excess of \$250,000 has resulted in over \$3.0 million in subcontracts with Disadvantaged, Minority-owned and Women-owned Business Enterprises since its inception in 2006; and

WHEREAS the Authority has evaluated this policy at the conclusion of the trial period and has determined that it continues to meet its public policy initiatives and is otherwise in the best interest of the public and the Authority; and

WHEREAS, the Authority, as a matter of policy, desires to incorporate this same policy in all Authority-funded capital construction projects in excess of \$250,000 on a permanent basis.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director, with the advice and consent of counsel, is hereby authorized and directed to incorporate a DBE policy into contract specification documents for all Authority-funded capital construction contracts in excess of \$250,000.

Vice-Chairperson asked if the Resolution specifying \$250,000 is a barrier to small businesses.

Chairperson Parkowski stated that Resolution 08-34 permanently adopts the Authority’s two (2) year trial policy on DBE and Women-owned businesses. A motion to approve Resolution 08-34 was made by Commissioner Patterson, seconded by Commissioner Dorn.