

**RESOLUTION 19-39 - AUTHORIZING AUTHORITY EXPENDITURES  
PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2019 THROUGH  
DECEMBER 31, 2019**

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 1/1/19 THROUGH 12/31/19

<b>VENDOR</b>	<b>PURCHASE DESCRIPTION</b>	<b>CLASSIFICATION</b>	<b>ESTIMATED \$</b>
ABCO Refrigeration Supply Corp.	Replacement AC Compressor for ILG Hangar 9 and Circuit Boards and Fuses for M/V New Jersey	Committee Waiver	\$26,000
The Convention News Company, Inc.	Airport Advertising Services	Sole Source	\$27,000
Gen-el Safety & Industrial Products	Air Monitoring Systems	State Contract	\$80,000
Lionetti Associates, d/b/a Lorco Petroleum Services	Petroleum Recycling Services and Oil Filters at CMLF	Committee Waiver	\$45,000
Midway Trailers, Inc., d/b/a MO Great Dane	Emergency Response Trailer	GSA Contract	\$79,000
Perna Finnigan, Inc.	Utility Construction Services at Cape May Terminal	Committee Waiver	\$26,000

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

## Resolution 19-39 Executive Summary Sheet

**Resolution:** Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2019 through December 31, 2019.

**Committee:** Budget & Finance

**Committee and Board Date:** October 15, 2019

**Purpose of Resolution:**

Authorizes expenditures of \$25,000 or greater with the identified vendors during the 2019 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:**

ABCO Refrigeration Supply Corp.: Replacement AC Compressor for ILG Building 9 and Circuit Boards and Fuses for M/V New Jersey

The Authority purchased various HVAC circuit boards and fuses to replace those destroyed during an electrical power surge aboard the M/V New Jersey. The Authority purchased a new AC compressor for tenant hangar 9 at ILG. None of the individual purchase events warranted a public bid process, however the aggregate amount elicits notification of the Board per Resolution 01-84. In accordance with Resolution 98-31 part 3, the Authority thus requests that the Budget and Finance Committee waive the \$25,000 threshold for this vendor in 2019.

The Convention News Company, Inc.: Airport Advertising Services

The Authority purchased an advertorial insert for placement in the August issue of "Solutions in Business Aviation" and plans to advertise in the "Convention News Daily" publication during the upcoming annual Business Aviation Convention and Expo. The advertising is meant to attract the attention of businesses who may be interested in the Authority's airport opportunities in the Northeast Corridor. The subject matter of the aforementioned publications correlate directly to the Authority's airport business.

Gen-el Safety & Industrial Products: Air Monitoring Systems

The Authority intends to purchase various portable and permanent air monitoring devices for use at its facilities. Permanent units will be strategically installed and calibrated to detect ethylene oxide and report the general air quality at the DMB facilities. The

portable units will enable the Authority to quickly deploy the testing equipment in the event of a major spill or offsite incident. Gen-el Safety & Industrial Products is party to a competitively-bid state contract to supply the equipment to be purchased and offers the Authority the equipment at matching rates (GSS18795-PPE\_DVC\_SV, Public Safety PPE, Devices and Services).

#### Lionetti Associates, d/b/a Lorco Petroleum Services

The Cape May-Lewes Ferry uses Lorco Petroleum Services throughout the year for the disposal of oily water and contaminated diesel fuel, and for oil filters and related supplies for the vessels. None of the individual purchase events warranted a public bid process, however the aggregate amount elicits notification of the Board per Resolution 01-84. In accordance with Resolution 98-31 part 3, the Authority thus requests that the Budget and Finance Committee waive the \$25,000 threshold for this vendor in 2019.

#### Midway Trailers, Inc. d/b/a MO Great Dane: Emergency Response Trailer

The Authority intends to purchase a new custom-built aluminum Emergency Response Trailer specifically designed for hazardous material responses such as spills and accidents, or for use as a mobile command center in the event of a large event either at the bridge or other Authority facility. The rear of the trailer will store hazardous response equipment and supplies, so during an emergency our personnel will have the ability to quickly hook-up and respond to the incident. As part of its due diligence the Authority attained several quotes on comparable custom builds and used models. Midway Trailers, Inc. is party to a competitively-bid General Services Administration contract (GS-30F-014DA: Automotive Superstore; Trailers and Attachments and Special Vocation Vehicles and Attachments) and offers the Authority the equipment at rates matching their GSA Schedule contract.

#### Perna Finnigan, Inc.: Utility Construction Services at CMLF

During construction of the Ferry Fueling System project at Cape May Terminal, it was discovered that work outside of the scope of the project (damaged water line) would be required in order to advance. The Authority contracted directly with Perna Finnigan to repair the water line. Perna Finnigan had assisted with water line work at the terminal earlier in the year. Neither of the individual purchase events warranted a public bid process, however the aggregate amount elicits notification of the Board per Resolution 01-84. In accordance with Resolution 98-31 part 3, the Authority thus requests that the Budget and Finance Committee waive the \$25,000 threshold for this vendor in 2019.

### **Purchase Classification Definitions:**

**Committee Waiver.** 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 Resolution 98-31. (DRBA Resolution 98-31 Part 3).

**GSA 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 US General Services Administration. In accordance with Resolution 11-36, this purchase classification includes those "...purchases from cooperatives and/or the piggy-backing of existing publicly-bid contracts for state and governmental entities which State of Delaware or New Jersey may or may not individually publicly advertise".

**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).

**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 98-31 Part 2.f.)

**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.).