

RESOLUTION 22-53 AUTHORIZING AN AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND PARKER McCAY TO SERVE AS GENERAL LEGAL COUNSEL REPRESENTING THE AUTHORITY'S INTERESTS IN THE STATE OF NEW JERSEY

WHEREAS, The Delaware River and Bay Authority (the "Authority") is a bi-state Authority of the State of Delaware and the State of New Jersey, created by Compact, that operates and maintains the Delaware Memorial Bridge, Cape May-Lewes Ferry, Forts Ferry Crossing and five (5) regional airports; and

WHEREAS, the Authority desires to engage a qualified professional legal services provider to serve as outside general legal counsel representing the Authority's interests in the State of New Jersey (hereinafter, the "Services"); and

WHEREAS, the Authority wishes to enter into a Services Agreement ("Agreement") with the selected legal services provider; and

WHEREAS, such Agreement has a base term of three (3) years, with the Authority having the option to extend the Agreement for up to two additional consecutive terms of one year each following the expiration of said base term, either such additional year to be authorized by the originating committee, with the consent of the Chairperson and Vice Chairperson of the Board of Commissioners; and

WHEREAS, the Authority publicly advertised and issued a Request for Proposals ("RFP") for New Jersey general legal counsel services in compliance with Resolution 98-31, as amended, which governs the Authority's procedures for the procurement of professional services; and

WHEREAS, the Authority received and evaluated one proposal submitted pursuant to the aforementioned requirements; and

WHEREAS, Parker McCay was designated as the highest-ranking firm following evaluation; and

WHEREAS, the Budget & Finance Committee reviewed the recommendation and concurs with the evaluation; and

WHEREAS, the Authority conducted an analysis of the market to analyze the costs of the Services proposed by Parker McCay and negotiated with said firm to provide the Services at compensation determined to be fair and reasonable; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of a Services Agreement with Parker McCay to provide the Services to the Authority and to have such Services Agreement executed by the Chairperson, Vice-Chairperson and Executive Director.

Resolution 22-53 Executive Summary Sheet

Committee: Budget and Finance

Committee/Board Date: October 18, 2022

Purpose of Resolution: To authorize an agreement with Parker McCay to provide outside legal counsel to support the Authority's objectives related to its interests in the state of New Jersey.

Background for Resolution:

The proposed Resolution meets the requirements of Resolution 98-31, as amended, which governs the Authority's procedures for the procurement of professional services.

The Authority publicly advertised this professional services agreement for one month and received one proposal from Parker McCay.

The Authority carefully reviewed the proposal, including fees and determined the costs to be fair and reasonable.