

RESOLUTION 25-02 – AUTHORIZING AN AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND US FOODS, INC., FOR COMMERCIAL FOOD DISTRIBUTION SERVICES AT THE CAPE MAY-LEWES FERRY

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 that operates and maintains the Cape May-Lewes Ferry (“CMLF”) and adjoining terminals and infrastructure in Cape May, New Jersey and Lewes, Delaware; and

WHEREAS, the Authority currently owns and operates three vessels which are used to transport vehicles and passengers between the terminals; and

WHEREAS, the Authority seeks to retain a firm to serve as its primary distributor of commercial food products for preparation and resale aboard CMLF vessels (the “Services”); and

WHEREAS, the Authority publicly advertised a formal Request for Proposals (“RFP”) in accordance with DRBA Resolution No. 24-17, Part 5, which allows for the use of competitive proposals to compare the different price, quality and contractual factors of the proposals submitted; and

WHEREAS, the Authority received two (2) proposals pursuant to the aforementioned public advertisement and evaluated each proposal against the advertised criteria; and

WHEREAS, following evaluation of each proposal received, US Foods, Inc. (“US Foods”) was designated as the most desirable proposal; and

WHEREAS, the Authority wishes to enter into a Service Agreement (“Agreement”) with the selected proposer; and

WHEREAS, the Agreement will have a base term of three (3) consecutive years from the effective date of the Agreement, with the Authority having the option to extend the Agreement for up to two (2) additional periods of one (1) year each after the expiration of the base term, either such additional 1-year term subject to prior authorization by the Budget and Finance Committee and the Chairman and Vice-Chairman of the Board of Commissioners; and

WHEREAS, the Budget and Finance Committee has reviewed this recommendation and concurs; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of a Service Agreement with US Foods to provide the Services to the Authority, and, with the advice and consent of Counsel, to have such Service Agreement executed by the Chairman, Vice-Chairman and Executive Director.

Resolution 25-02 Executive Summary Sheet

Resolution: Authorizes an agreement between the Authority and US Foods to serve as the primary distributor of commercial food products for preparation and resale aboard CMLF vessels.

Committee: Budget and Finance

**Committee/
Board Date:** January 22, 2025

Purpose of Resolution:

To authorize an agreement between the Authority and US Foods to serve as the primary distributor of commercial food products for preparation and resale aboard CMLF vessels.

Background for Resolution:

The proposed Resolution meets the requirements of Resolution No. 24-17, Part 5, which governs the procedure for using competitive proposals for procurements where the Authority has the need to compare the different price, quality and contractual factors of the proposals submitted. The Authority received and evaluated proposals submitted by the following two (2) firms:

- US Foods, Inc.
- Sysco Pennsylvania

The Authority designated a Selection Committee to evaluate Proposals and recommend the Proposer who best met the described needs of the Authority. The Authority conducted an analysis of the proposed costs and markups of the products and determined them to be fair and reasonable. The Service Agreement enables the Authority to continue to receive Group Purchasing Organization (GPO) pricing through US Foods, Inc., in partnership with Vizient, OMNIA's public sector channel partner specializing in servicing the procurement needs of foodservice markets.