SUMMARY STATEMENT

ITEM NO.                SUBJECT: Request for Qualifications for Professional and Other Services Requiring Specific Expertise

COMMITTEE:                           New Business

COMMITTEE MEETING DATE:             N/A

BOARD ACTION DATE:                 August 19, 2009

PROPOSAL:  That the Board formalize as a DRPA policy the practice of soliciting statements of qualifications or proposals when DRPA or PATCO require the services of professionals and other providers of services, as set forth in greater detail below.

PURPOSE:  To implement and establish an open and competitive procurement process for the purpose of engaging the services of qualified professionals and other providers of services.

BACKGROUND: The Authority maintains a small in house legal staff headed by a General Counsel. The in house staff currently includes a Deputy General Counsel and four Assistant General Counsel plus support staff. Recently the DRPA issued a Request for Qualifications for firms and attorneys who wished to provide services in the following areas: litigation, labor and employment law, counsel to the New Jersey caucus of the DRPA Board, counsel to the Pennsylvania caucus of the DRPA Board, workers compensation, environmental law, intellectual property law, and special or conflicts counsel. Statements of qualification have been received and will be reviewed by staff in the coming weeks after which a list of recommended firms will be referred to an executive level committee for final selection of a pool of providers in each of these areas. The Authority has also issued Requests for Qualifications for the services of bond counsel, financial advisors, banks, underwriters, trustees and other financial professionals. The respondents would serve the DRPA in connection with a forthcoming bond issue or issues and with respect to ongoing financial advice and guidance. DRPA has for many years solicited proposals from accounting firms seeking to perform the DRPA’s annual audit.

In addition to the foregoing professional legal, financial and accounting services, in the past the Authority has engaged the services of other firms and individuals to provide other specialized services.

"Other specialized services" means services which are specialized and
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qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor. The term includes, but is not limited to, lobbying, insurance consulting, investment advisory services, and insurance brokerage, commercial banking, public relations, marketing, business consulting, and business development. It is the intention of DRPA that such services would be obtained in the future through the use of the RFQ or RFP process.

SUMMARY:

Amount: Not Applicable
Source of Funds: Not Applicable
Capital Project #: N/A
Operating Budget: N/A
Master Plan Status: N/A
Other Fund Sources: N/A
Duration of Contract: On a project by project basis
Other Parties Involved: None
RESOLUTION

RESOLVED: That the Board of Commissioners of the Delaware River Port Authority hereby affirms and adopts as the uniform procurement policy of the DRPA in the following areas the use of a “requests for qualifications” (“RFQ”) or “requests for proposals” (“RFP”) process, whichever best suits the needs of the Authority, for selecting one or more qualified firms to provide the following professional and other services to the Delaware River Port Authority:

- Outside counsel to provide legal services in all practice areas
- Bond counsel
- Tax and financial counsel
- Investment banking
- Bond Underwriters
- Bond Trustees
- Financial Advisors
- Other Specialized services including but not limited to:
  - Lobbying
  - Insurance brokerage
  - Insurance consulting
  - Commercial Banking
  - Investment Advisory services
  - Accounting
  - Public Relations consultants and advisors
  - Marketing firms
  - Management consultants
  - Business development consultants

And, be it further;

RESOLVED: That the Board adopts as DRPA policy the use of RFQs and RFPs to establish a pool of qualified firms and/or individuals to provide professional as well as other specialized services as discussed in the attached Summary Statement; and be it further

RESOLVED: That the Board directs that responses to RFQs and RFPs or will be evaluated by staff on the basis set forth in the relevant RFQ or RFP; and be it further
RESOLVED: The Chairman, Vice Chairman and the Chief Executive Officer must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of the DRPA. If such agreements, contracts, or other documents have been approved by the Chairman, Vice Chairman and Chief Executive Officer and if thereafter either the Chairman or Vice Chairman is absent or unavailable, the remaining Officer may execute the said document(s) on behalf of DRPA along with the Chief Executive Officer. If both the Chairman and Vice Chairman are absent or unavailable, and if it is necessary to execute the said document(s) while they are absent or unavailable, then the Chief Executive Officer shall execute such documents on behalf of DRPA.

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Other Parties Involved: None