SUMMARY STATEMENT

ITEM NO.: DRPA-13-093  
SUBJECT: Consideration of Pending DRPA Contracts (Between $25,000 and $100,000)

COMMITTEE: New Business

COMMITTEE MEETING DATE: N/A

BOARD ACTION DATE: August 19, 2013

PROPOSAL: That the Board consider authorizing staff to enter into contracts as shown on the Attachment to this Resolution.

PURPOSE: To permit staff to continue and maintain DRPA operations in a safe and orderly manner.

BACKGROUND: At the Meeting held August 18, 2010 the DRPA Commission adopted Resolution 10-046 providing that all DRPA contracts must be adopted at an open meeting of the DRPA Board. The Board proposed modifications to that Resolution at its meeting of September 15, 2010; specifically that all contracts between $25,000 and $100,000 be brought to the Board for approval. The contracts are listed on the Attachment hereto with the understanding that the Board may be willing to consider all of these contracts at one time, but if any member of the Board wishes to remove any one or more items from the list for separate consideration, each member will have that privilege.

SUMMARY:  
Amount: N/A  
Source of Funds: See Attached List  
Capital Project #: N/A  
Operating Budget: N/A  
Master Plan Status: N/A  
Other Fund Sources: N/A  
Duration of Contract: N/A  
Other Parties Involved: N/A
RESOLUTION

RESOLVED: That the Board authorizes and directs that subject to approval by the Chair, Vice Chair, General Counsel and the Chief Executive Officer, staff proceed to negotiate and enter into the contracts listed on the Attachment hereto.

SUMMARY:

Amount: N/A
Source of Funds: See Attached List
Capital Project #: N/A
Operating Budget: N/A
Master Plan Status: N/A
Other Fund Sources: N/A
Duration of Contract: N/A
Other Parties Involved: N/A
## Consideration of Pending DRPA Contracts (Between $25,000 - $100,000) August 19, 2013

<table>
<thead>
<tr>
<th>Item #</th>
<th>Vendor/Contractor</th>
<th>Description</th>
<th>Amount</th>
<th>Procurement Method</th>
<th>Bids Received</th>
<th>Bid Amounts</th>
<th>Source of Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Celebrity Ford, d/b/a Beyer Ford Morristown, NJ</td>
<td>Purchase two (2) 2014 Ford Utility Police Interceptor Police Vehicles for Transit Services K-9 Operations.</td>
<td>$84,608.00</td>
<td>Commonwealth of Pennsylvania Contract #4400009613.</td>
<td>Celebrity Ford, d/b/a Beyer Ford Morristown, NJ</td>
<td>$84,608.00</td>
<td>100% Grant Funded under FEMA Transit Security Grant 2010RAT0K041</td>
</tr>
<tr>
<td>2</td>
<td>EEOC Training Institute St. Thomas, VI</td>
<td>Provide in-house EEOC training to DRPA and PATCO employees.</td>
<td>$39,000.00</td>
<td>Sole Source/Proprietary - see attached Sole Source/Proprietary Justification Memo marked as Exhibit &quot;1&quot;</td>
<td>EEOC Training Institute St. Thomas, VI</td>
<td>$39,000.00</td>
<td>Revenue Fund</td>
</tr>
</tbody>
</table>
MEMORANDUM

DELAWARE RIVER PORT AUTHORITY
of Pennsylvania & New Jersey

TO: John J. Matheussen, CEO
    John T. Haniox, CFO

FROM: Toni P. Brown, Chief Administrative Officer

SUBJECT: Equal Employment Opportunity Commission Training - Sole Source Justification

DATE: August 7, 2013

Agreement: #
Type of Request: Proprietary and Sole Source
Item: Sole Source Agreement between DRPA and the Equal Employment Opportunity Commission (EEOC)
Project: EEO Training for DRPA and PATCO Employees
Sole Source Vendor: EEOC
Amount: $39,000

Background:
This training is in response to one of the findings in the Management Audit Final Report issued by CGR Management Consultants and dated January 14 2013. Specifically, at Section 4.2.3 “Business Development & Equal Opportunity”, CGR recommended that the Authority reduce the two-year gap that currently exists for Equal Employment Opportunity (EEO) training.

Until 2009, EEO training was conducted using in-house staff in the Office of Business Development & Equal Opportunity (OBD&E). The training was conducted every two years. Given that the Authority is a 24/7 operation, the shifts worked by our employee population of close 900 vary. Therefore, in order to ensure that all employees received the mandatory training OBD&E staff traveled to the various facilities to deliver the training during the shifts. This was a significant commitment in terms of staff time and also required a delicate balancing of the remaining work to be performed by the OBD&E. We were scheduled to deliver the next EEO training cycle in 2012. In 2012, the EEO Specialist who previously assisted the CAO in delivering the EEO training retired. To date, we have not been authorized to fill the vacant EEO Specialist position. As a result, the EEO training was not delivered in 2012.

In discussing CGR’s recommendation and OBD&E’s staffing dilemma with CEO John Matheussen and Commissioner Craz, it was agreed that we should pursue having this training delivered by an outside vendor. The Authority’s Training Administrator suggested we pursue training resources offered by the EEOC.
The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. The EEOC is responsible for promulgating the regulations that employers are expected to follow to ensure a workplace free from harassment and discrimination. The Commission receives, investigates, and resolves charges of employment discrimination filed against private sector employers, employment agencies, labor unions, and state and local governments, including charges of systemic discrimination. In short, the EEOC is the subject-matter expert in the field of EEO laws. Any outside vendor who would deliver EEO training for the Authority would rely upon the legal interpretation provided by the EEOC and offer guidance to employers and employees based upon that which has been provided by the EEOC.

The EEOC Training Institute has agreed to provide on-site EEO training to all Authority employees (approximately 877). The fee for the training was originally quoted at $52,800. However, due to a reduction in the number of sessions and our ability to print the training materials in-house, the EEOC Training Institute agreed to reduce the fee to $39,000. A copy of the EEOC's proposal is attached hereto.

I presented this resource to Commissioner Cruz and CEO Matheussen and it was determined that the EEO refresher training should be delivered by EEOC staff since the agency is unquestionably the subject-matter expert on EEO laws, the different types of discrimination, preventing harassment/discrimination, the complaint process, the role of supervisors and managers and various forms of retaliation that could be problematic for employers.

**Justification:** The EEOC Training Institute is proprietary.

**Funding:** The funds for this contract will be covered by the Authority's overall training budget 2013, which is administered by the Human Resources Department.
Upon your approval of this request, a Contract Initiation Form will be initiated and processed by the Contract Administration Department.

If you require additional information please let me know.

This approval will be for a not-to-exceed cost of $39,000 over a term of one (1) year.

Toni P. Brown, CAO

John T. Hanson, CFO

John J. Mathenussen, CEO

Thank you