

RESOLUTION NO. 03-10

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

January 25, 2010

A Resolution for the Award of a Public Contract to Stacey Contracting, Inc. in the amount of \$820,538.00 for Sanitary Sewer Replacement – Phase VI, Contract No. 897087K, New Jersey Environmental Infrastructure Financing Program (NJEIFP), Project No. S340448-06, Contract No. 3B.

WHEREAS, on November 16, 2009 The Brick Township Municipal Utilities Authority (“Authority”) pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., advertised for bids for the Sanitary Sewer Replacement- Phase VI, Contract No. 897087K for the replacement of approximately 1,367 L.F. of existing asbestos cement pipe sewer mains with new 8" PVC pipe along Briar Mills Drive, Alhama Drive, Curtis Point Drive, Route 35 & Bay Boulevard, and Route 35 & Sixth Avenue; replacing fifteen (15) sanitary manholes on Knoll Crest Avenue, Hamilton Drive, Neptune Circle, Boom Lane and Thiele Road; and replacing two (2) deep house connections on Mantoloking Road; and

WHEREAS, six (6) bids ranging in price from a low of \$820,538.00 to a high of \$1,419,853.50 were received pursuant to the advertisement and publicly opened on December 22, 2009 at 2:00 P.M.; and

WHEREAS, the submitted bids have been reviewed by the Authority's Deputy Executive Director and Director of Engineering/Operations Stephen T. Specht, P.E. and the Authority's Counsel Jerry J. Dasti, Esq.; and

WHEREAS, the bid of Stacey Contracting, Inc., the low bidder, contains two (2) minor defects including failure to insert the project title on the *Bid Bond* form and insertion of the incorrect date of the bid submission on the *Agreement of Surety* form, both of which the Authority's Counsel has recommended be waived as they are immaterial and do not provide a preference or advantage to Stacey Contracting, Inc. over the other bidders; and

WHEREAS, the Authority's Deputy Executive Director and Director of Engineering/Operations, Stephen T. Specht, P.E., is recommending the award of this Contract to Stacey Contracting, Inc., the lowest bidder, in the amount of \$820,538.00; and

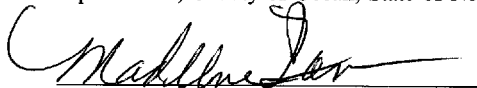
WHEREAS, Frank Planko, the Authority's Chief Financial Officer, has advised the Authority that sufficient funds for the payment of \$820,538.00 are available and included in Project No. 897087K to be drawn from NJEIFP Series 2002.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY as follows:

1. The Sanitary Sewer Replacement – Phase VI Contract No. 897087K is hereby awarded to the low bidder, Stacey Contracting, Inc., in the amount of \$820,538.00 subject to all conditions outlined in the Notice to Bidders, Specifications and Contract Documents. This award is contingent upon Authorization-to-Award from the N.J. Environmental Infrastructure Financing Program; and
2. The Authority finds the bid submitted by Stacey Contracting, Inc., the low bid, contains two (2) minor defects and in accordance with the legal opinion and recommendation of legal counsel are hereby waived as the defects are immaterial and do not provide a preference or advantage of their bid over the other bidders; and
3. The Executive Director is authorized to return the bid bonds and other security received from the unsuccessful bidders within three (3) days after execution of the contract and to notify all bidders of the award of the contract; and
4. The proper officers of the Authority are authorized to execute a contract with Stacey Contracting, Inc., 642 Broad Street, Clifton, NJ 07013 for this project; and
5. Said amount of \$820,538.00 shall be taken from Project No. 897087K for the payment of the obligation provided for herein.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of The Brick Township Municipal Utilities Authority of the Township of Brick, County of Ocean, State of New Jersey, held on January 25, 2010.



Madeline Iannarone
Asst. Secretary/Treasurer



THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
CERTIFICATION OF FUNDS AVAILABLE

PURSUANT TO N.J.A.C. 5:30 - 5.4, AND ANY OTHER APPLICABLE REQUIREMENTS, I FRANK PLANKO, CHIEF FINANCIAL OFFICER OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY ("BTMUA"), HEREBY CERTIFY THAT THERE ARE AVAILABLE SUFFICIENT UNCOMMITTED FUNDS IN THE BUDGET LINE ITEM(S) OF BTMUA AS INDICATED BELOW IN THE AMOUNT OF \$ 820,538 FOR THE AWARD OF THE CONTRACT AS INDICATED BELOW.

VENDOR TO BE AWARDED CONTRACT: Stacey Contracting, Inc
 DESCRIPTION OF CONTRACT: Sanitary Sewer Replacement
 AMOUNT OF CONTRACT AWARD: \$ 820,538
 AMOUNT CERTIFIED: \$ 820,538
 RESOLUTION NUMBER: 03-10

BUDGET LINE ITEM(S) TO BE CHARGED:

	* AMOUNT	
1.) <u>#897087JK - S.R. - Phase 6</u>	\$ <u>820,538</u>	x
2.) _____	\$ _____	
3.) _____	\$ _____	

DATE CERTIFIED: 11/21/10

Frank Planko
 FRANK PLANKO, CHIEF FINANCIAL OFFICER

* 1,067,147 Phase 6 Funding
198,554 48-08 bal
820,538 03-10
\$ 48,055 balance