

RESOLUTION NO. 33 - 10

BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

March 22, 2010

**A Resolution Rejecting All Bids for the
Leak Noise Loggers and Patrollers Purchase, and
Authorizing a New Solicitation for Bids for this Purchase**

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has solicited bids for the purchase of leak noise loggers and patrollers (the "project"); and

WHEREAS, the bids for the project have been solicited by the Authority in conformance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, three (3) bids have been received by the Authority in response to the bid solicitation, as follows:

Metrotech Corp.	\$18,000.00
Fluid Conservation Systems, Inc.	\$23,950.00
Pipe Tools, Inc.	\$20,805.00

WHEREAS, the bid documentation submitted in conjunction with the bid submissions has been reviewed by the Authority Solicitor and the Authority staff; and

WHEREAS, problematic issues with each of the three (3) bids have been discovered which, in the opinion of the Authority Solicitor and the Authority staff, are non-waiveable defects which mandate that each of the three (3) bids be rejected, for the reasons set forth in the February 22, 2010 memorandum from Richard Evan to Stephen Specht, a copy of which is on file at the office of the Executive Director and can be reviewed by the public during normal business hours; and

WHEREAS, the Authority therefore is required to reject each of the three (3) bids for the reasons set forth in the February 22, 2010 memorandum since the defects are not waiveable and not reparable:

NOW, THEREFORE, BE IT RESOLVED this 22nd day of March, 2010, by the Brick Township Municipal Utilities Authority, as follows:

1. The Authority accepts the recommendations of the Authority Solicitor and Authority staff and rejects each of the three (3) bids submitted for this project, for the reasons set forth in the February 22, 2010 memorandum of Richard Evans. The Authority finds that the defects referenced therein are non-waiveable and not curable.

2. The Authority authorizes and directs its staff to solicit new bids for this project in accordance with the provisions of the New Jersey Local Public Contracts Law.

3. The Chairman, Executive Director and Secretary of the Authority be and hereby are authorized to execute any and all necessary documents in order to implement the intent of this resolution.

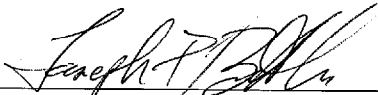
4. A copy of this resolution shall be forwarded by the Administrative Secretary of the Authority to the following:

- (a) Honorable Patrick L. Bottazzi, Chairman;
- (b) James Lacey, Executive Director;
- (c) Frank Planko, CFO;
- (d) Marie Sylvester, Executive Supervisor;
- (e) Jerry J. Dasti, Esq.; and
- (f) All bidders.

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**
COUNSELLORS AT LAW
620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 22nd day of March, 2010, a quorum being present and voting in the majority.



**DR. JOSEPH P. BUTTACAVOLI,
SECRETARY**

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS**
Forked River, New Jersey 08731

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