

RESOLUTION NO. 04 - 12

BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

February 27, 2012

**A Resolution Rejecting Bids Submitted for the Solicitation of SCADA
Parts and Appurtenances Because of Defects in Both Bids.**

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has solicited bids for the supply of SCADA parts and appurtenances (the "Project"); and

WHEREAS, the bids were solicited pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, two bids were received in response to the bid solicitation, from GFC Co., Inc., and Walker Engineering, Inc.; and

WHEREAS, both bids have been reviewed by the Authority and the Authority's Solicitor and each has been found to be defective because of non-compliance with the bid specifications and the requirements set forth in the New Jersey Law Public Contracts Law; and

WHEREAS, in the opinion of the Authority's Solicitor the defects in each of the bids are material, and cannot be waived or disregarded by the Authority; and

WHEREAS, the Authority's Solicitor has recommended that each of the bids be rejected because of the non-waivable defects, and that the Authority re-bid for the supply of SCADA parts and appurtenances;

NOW, THEREFORE, BE IT RESOLVED this 27th day of February, 2012, by the Brick Township Municipal Utilities Authority as follows:

1. The Authority accepts the recommendations of its Solicitor and rejects each of the bids submitted because of their fatal defects which cannot be waived or disregarded by the Authority.
2. The Authority authorizes its staff to re-bid this Project in accordance with the provisions of the New Jersey Local Public Contracts Law.
3. The Authority authorizes and directs the Chairman, Secretary and Executive Director 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:

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

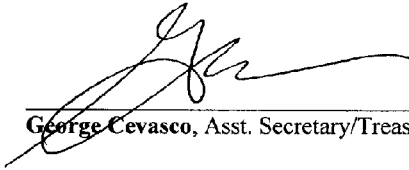
COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

- (a) Honorable Joseph M. Veni, P.E., Chairman;
- (b) James F. Lacey, Executive Director;
- (c) Scott J. Bundy, Director of Central Services;
- (d) Frank Planko, C.F.O.;
- (e) Jerry J. Dasti, Esquire.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 27th day of February 27, 2012, a quorum being present and voting in the majority.



George Cevalasco, Asst. Secretary/Treasurer

Prepared by:
DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731
JJD/gj[BTMUA-Resolutions 2012-GL-20179]
[SCADA Parts/GL-20242]

DASTI, MURPHY
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