

**RESOLUTION NO. 59-12**

**THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

September 24, 2012

**A Resolution for the Award of an Emergency Contract to D & D Trenchless Solutions, Inc. in the amount of \$313,987.00 for Partial Replacement of 8" diameter Water Main for Tilton Road, Contract No. 712003**

**WHEREAS**, the existing 1,900 linear feet (approximate) of eight inch (8") diameter ductile iron pipe (DIP) water main on Tilton Road was installed as part of a developer project in June, 1978; and

**WHEREAS**, on several occasions personnel from Brick Utilities have had to complete repairs to the existing 8" diameter DIP water main in front of 37 Tilton Road, the latest repair of which had to be completed was on August 8, 2012; and

**WHEREAS**, personnel from Brick Utilities have also had to replace the existing fire hydrant located between 25 Tilton Road and 29 Tilton Road on April 21, 2009; and

**WHEREAS**, in addition personnel from Brick Utilities who completed the repairs have indicated that it appears that aggressive soil which was used as backfill material around the existing ductile iron pipe has caused significant deterioration; and

**WHEREAS**, the Brick Utilities' engineering department recommended that the 1,200 linear feet (approximate) of 8" diameter DIP water main be replaced with a new 8" diameter C900 polyvinyl chloride (PVC) water main which would include all of the work associated with reconnecting each of the individual water service lines to the newly installed 8" diameter "C900" PVC water main; and

**WHEREAS**, James F. Lacey, Executive Director of the Brick Utilities, Stephen T. Specht, P.E., Deputy Executive Director/Director of Engineering & Operations of the Brick Utilities determined the situation to be an emergency affecting public health, safety and welfare and the Board of Commissioners on August 9, 2012 authorized design and bidding of the emergency replacement and removal without public advertising for bids; and

**WHEREAS**, nine contractors were contacted and five contractors indicated that they were interested in submitting a bid for replacing the existing 8" diameter DIP water main with 1,160 linear feet of 8" diameter C900 PVC water main between in front of the property at 51 Tilton Road property to the terminus in front of the property at 1 Tilton Road and all work associated with installation of the new water main as well as the removal and disposal of 1,065 linear feet of 8" diameter DIP water main; and

**WHEREAS**, four bids ranging from a low of \$313,897.00 to a high of \$453,354.00 were received for this project on September 5, 2012 as more fully set forth pursuant to the Local Public Contracts Law specially N.J.S.A. 40:11-6 which permits the awarding of emergency contracts; and

**WHEREAS**, the Board of Commissioners authorized on September 12, 2012 the contract award via electronic mail to D & D Trenchless Solutions, Inc. in the amount of \$313,987.00; and

**WHEREAS**, Resolution No. 59-12 memorializes this award; and

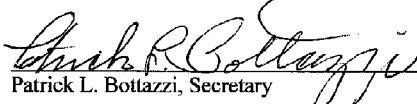
**WHEREAS**, Frank Planko, Chief Financial Officer, has advised Brick Utilities that sufficient funds for the payment of \$313,987.00 are available and included in the Emergency Repair Account.

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

1. D & D Trenchless Solutions, Inc. is awarded a contract in the amount of \$313,987.00 the lowest emergency contract bidder; and
2. This contract is being awarded without public advertising for bids pursuant to an emergency situation affecting public health safety and welfare and as authorized by the Local Public Contracts Law, specifically N.J.S.A. 40A:11-6 which permits the awarding of emergency contracts; 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 D & D Trenchless Solutions, Inc. 272 West Avenue, Long Branch, NJ for this project.

**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 September 24, 2012.

  
Patrick L. Bottazzi, Secretary