

RESOLUTION NO. 32 - 13

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

April 22, 2013

**Resolution awarding contracts to the three (3) lowest
responsible bidders for periodic electrical work
on behalf of the
Brick Township Municipal Utilities Authority**

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has solicited bids for electrical work to be performed by electrical contractors on behalf of the Authority; and

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

WHEREAS, five (5) bids have been received in response to the bid solicitation, as follows:

Company	Labor Rate Regular Hours	Labor Rate Emergency Hours	Parts Markup (%)
Sun Electric Construction Corp.	74.03	108.05	15%
Pro Maintenance Group	74.03	111.00	10%
Global Electric	71.00	148.00	8%
Starlite Electric	97.50	105.50	5%
Gary Kubiak & Sons Electric, Inc.	85.00	102.00	5%

WHEREAS, the bid submitted by Global Electric was contested by one of the bidders because the bid submitted by Global Electric did not appear to include payment at the required prevailing rate; and

WHEREAS, Global Electric was asked to respond to this objection and by letter dated March 26, 2013 confirmed that it would pay all employees the published New Jersey Prevailing Wage for Monmouth and Ocean Counties which perform work for the Utility; and

WHEREAS, the letter of explanation has been reviewed by the Authority Solicitor and found not to be acceptable, because the bid submitted by Global Electric would, if accepted, provide an unfair advantage to Global Electric and would adversely affect the bids submitted by the remaining bidders; and

WHEREAS, the Authority Solicitor has opined that the bid submitted by Global Electric has a fatal flaw which cannot be waived by the Authority; and

WHEREAS, as a result thereof the three (3) lowest responsible bidders are Sun Electrical Construction Corporation, Pro Maintenance Group and Gary Kubiak & Sons Electric, Inc.; and

WHEREAS, the three (3) bids submitted by those bidders has been reviewed by the Authority's Solicitor and has been found to be acceptable as to form and content.

NOW, THEREFORE, BE IT RESOLVED by the Brick Township Municipal Utilities Authority as follows:

1. Relying upon the advise of the Authority Solicitor, the Authority must reject the bid submitted by Global Electric. The bid submitted did not include payment to employees at the New Jersey Prevailing Wage Rate for Ocean and Monmouth Counties. If this bid were to therefore be included and accepted by the Authority, it would provide an unfair advantage to Global Electric and would result in a disadvantage and unfair results to the remaining bidders.

2. The Authority accepts the recommendations of the Solicitor and approves and awards the bid for periodic electrical services to the three (3) lowest responsible bidders, Sun Electrical Construction Corporation, Pro Maintenance Group and Gary Kubiak & Sons Electric, Inc.

3. The Authority authorizes 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 to the following:

- A. Allan E. Cartine, Chairman;
- B. James F. Lacey, Executive Director;
- C. Lisa Lau, Finance Administrative Supervisor;
- D. Frank Planko, C.F.O.; and
- E. Jerry J. Dasti, Esquire.
- F.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 22ns day of April, 2013, a quorum being present and voting in the majority.


PATRICK BOTTAZZI,
Secretary

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