

**RESOLUTION NO. 81-15**

**THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**August 24, 2015**

**A Resolution for Approving and Authorizing Award of Contract to Down to Earth Landscaping, Inc. in the amount of \$323,129.00 for the Stormwater Detention Basin Retrofit and Proposed Bioretention Basins at Moses Milch Drive Project (Contract No. 797101A)**

**WHEREAS**, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has solicited bids for the Stormwater Detention Basin Retrofit and Proposed Bioretention Basins at Moses Milch Drive Project (Contract No. 797101A) (the "Stormwater Basin Retrofit Project"); and

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

**WHEREAS**, bids were submitted in response to the bid solicitation, as follows:

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| 1. Down to Earth Landscaping, Inc.           | \$323,129.00 |
| 2. Quality 1 <sup>st</sup> Contracting, Inc. | \$374,327.50 |

**WHEREAS**, submitted bids have been reviewed by the Authority's Consulting Engineer for the Contract, Bahram Farzaneh, PE, PP, of French & Parrello Associates Engineers, the Authority's Director of Water Quality, Joseph Maggio and the Authority's Counsel, Ben A. Montenegro, Esquire; and

**WHEREAS**, the Authority's Consulting Engineer for the Contract, Bahram Farzaneh, PE, PP, and the Authority's Director of Water Quality, Joseph Maggio are recommending the award of this Contract to Down to Earth Landscaping, Inc., the lowest bidder, in the amount of \$323,129.00; and

**WHEREAS**, Brick Utilities' Chief Financial Officer, Frank Planko, has advised Brick Utilities that sufficient funds for the payment of \$323,129.00 do exist for Project No. 797101A; and

**NOW, THEREFORE, BE IT RESOLVED** this 24<sup>th</sup> day of August, 2015, by the Brick Township Municipal Utilities Authority as follows:


1. The Stormwater Basin Retrofit Project at Moses Milch Drive (Contract No. 797101A) is hereby awarded to the low bidder, Down to Earth Landscaping, Inc., in the amount of \$323,129.00 subject to all conditions outlined in the Notice to Bidders, Specifications and Contract documents; and
2. The Authority's Consulting Engineer for the Contract, Bahram Farzaneh, PE, PP, has recommended to the Authority that Down to Earth Landscaping, Inc. as the low bidder be awarded the Contract; and
3. The Authority's Director of Water Quality for the Contract, Joseph Maggio, is authorized to return the bid bonds and other security received from the unsuccessful bidders within three (3) days after the execution of the contract and to notify all bidders of the award of the contract; and
4. The Authority's Chairman and Secretary are hereby authorized to execute a contract with Down to Earth Landscaping, Inc., 705 Wright Debow Road, Jackson, NJ 08527 for this project.

5. A certified copy of this Resolution shall be forwarded by the Administrative Secretary of the Authority to the following:

- A. George Cevasco, Chairman
- B. James C. Bayard, Secretary
- C. James F. Lacey, C.P.W.M., Executive Director
- D. Stephen T. Specht, PE, Deputy Exec. Dir. & Dir. Of Eng./Ops.
- E. Frank Planko, C.F.O.
- F. Joseph Maggio, P.E.
- G. Joseph DiMatteo
- H. Marie A. Sylvester, Executive Supervisor
- I. Bahram Farzaneh, PE, PP, French & Parrello Associates  
Engineers
- J. Ben A. Montenegro, Esquire
- K. Down to Earth Landscaping, Inc.

#### CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 24<sup>th</sup> day of August, 2015, a quorum being present and voting in the majority.

  
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James C. Bayard  
Authority Secretary

Prepared By:  
**Montenegro, Thompson,  
Montenegro & Genz, P.C.**  
Brick, NJ 08724