

RESOLUTION NO. 101-18

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

December 20, 2018

A Resolution Authorizing the Award of a Contract to Uni-Tech Drilling Company, Inc. for the Installation of Observation Wells Project – Project No. 708003A in the amount of \$735,850

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has twice solicited bids for the Installation of Observation Wells Project - Project No. 708003A (hereinafter “Observation Wells Project”); and

WHEREAS, on two occasions, bids for the Contract were 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, a single bid was received on August 1, 2018 (first bid opening) in response to the bid solicitation, as follows:

1. Uni-Tech Drilling Company, Inc. \$849,049.00

WHEREAS, the Authority via Resolution No. 76-18 rejected all bids in accord with N.J.S.A. 40A:11-13.2 because all bids substantially exceeded the cost estimates for the project; and

WHEREAS, two bids were received on October 3, 2018 in response to the rebid solicitation (second bid opening), as follows:

1. A.C. Schultes, Inc. \$820,800.00
2. Uni-Tech Drilling Company, Inc. \$848,000.00

WHEREAS, the Authority via Resolution 89-18 rejected all bids pursuant to N.J.S.A. 40A:11-13.2 because all bids substantially exceeded the cost estimates for the project; and

WHEREAS, the Local Public Contracts Law via N.J.S.A. 40A:11-5 provides that where bids have been advertised on two (2) occasions and the Governing Body has rejected the bids on two (2) occasions because it has determined that they are not reasonable as to price on the basis of cost estimates prepared for or by the Contracting Agent prior to the advertising therefor, a Contract may then be negotiated upon the terms/procedures as set forth in said statute; and

WHEREAS, the terms, conditions, restrictions, and specifications set forth in the negotiated contract are not substantially different from those which were the subject of competitive bidding pursuant to the Local Public Contracts Law; and

WHEREAS, the only minor amendments/modifications of the terms, conditions, restrictions, and specifications, which were the subject of competitive bidding are as follows:

- The six week window during which drilling operations may be performed outside of the normal work hours remains in effect. During this six week window drilling work may be scheduled for 24 hours per day, 7 days per week.
- The time for completion is extended to a total of 120 days.
- The actual drilling of the two wells must proceed without the drilling equipment leaving the site until both wells are installed.
- All drilling mud must be removed from the site by the contractor.
- The piping and storm inlet modifications have been separated into an alternate bid item. The BTMUA may award just the Base Bid or the Base Bid plus the Alternate Bid. Alternate Bid Items will be to complete the

water main, valves, sampling stations and appurtenances, and to complete the stormwater manhole/inlet modification.

WHEREAS, the Authority accepted proposals from three (3) vendors on December 14, 2018 in response to the request for proposals, as follows:

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|----|---------------------------------|----------------------|------------------------|
| 1. | Uni-Tech Drilling Company, Inc. | Base Bid - \$735,850 | Alternate A - \$40,200 |
| 2. | A.C. Schultes, Inc. | Base Bid - \$738,880 | Alternate A - \$40,000 |
| 3. | Steffen Drilling LLC | Base Bid - \$783,600 | Alternate A - \$20,000 |

WHEREAS, the Authority made a reasonable effort to determine that the same are equivalent goods or services, at a cost which is lower than the negotiated price, are not available from an agency or authority of the United States, the State of New Jersey, or of the County in which the Authority is located, or any municipality in close proximity to the Authority; and

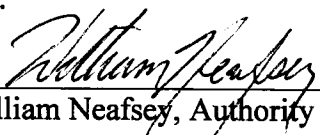
NOW, THEREFORE, BE IT RESOLVED this 20th day of December, 2018, by the Brick Township Municipal Utilities Authority as follows:

1. A contract is hereby awarded pursuant to N.J.S.A. 40A:11-5 for the installation of Observation Wells Project – Project No. 708003A to Uni-Tech Drilling Company, Inc. in the amount of \$735,850.
2. The Authority shall not include in the award of contract the work set forth as Alternate A in the solicitation.
3. The Chairman 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 subsequent to the execution of said documents by Uni-Tech Drilling Company, Inc.
4. Said amount of \$735,850 shall be funded from Project No. 708003A for the payment of the obligation provided for herein.
5. A certified copy of this Resolution shall be forwarded by the Administrative Secretary of the Authority to the following:
 - A. Gregory M. Flynn, Chairman
 - B. William Neafsey, Secretary
 - C. Chris A. Theodos, Executive Director
 - D. Joseph Maggio, Director of Water Quality
 - E. Nicholas C. Montenegro, Esquire
 - F. Uni-Tech Drilling Company, Inc.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 20th day of December, 2018, a quorum being present and voting in the majority.

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



William Neafsey, Authority Secretary

CFO Certification of Funds

I certify that sufficient funds exist within the Authority's Capital Project No. 708003A to fund the action authorized herein.



John Clifford, CFO