

RESOLUTION NO. 89-18

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

October 25, 2018

A Resolution Rejecting all Bids for the Installation of Observation Wells Project- Project No. 708003A

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has solicited bids (Re-Bid) for the Installation of Observation Wells Project - Project No. 708003A (hereinafter “Observation Wells 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, two bids were received October 3, 2018 in response to the re-bid solicitation, as follows:

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

WHEREAS, N.J.S.A. 40A:11-13.2 provides the bases upon which a contracting unit may reject all bids, including when the lowest bid substantially exceeds the cost estimates for the goods/services; and

WHEREAS, all bids substantially exceed the cost estimates for the project; and

WHEREAS, the Authority rejected all bids on the Observation Wells Project on August 23, 2018 via Resolution No. 76-18; and

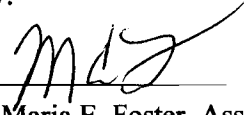
WHEREAS, the Local Public Contracts Law via N.J.S.A. 40A:11-5 provides that where bids have been advertised on two (2) occasions and the Governing Body has rejected the bids on two (2) occasions because it has determined that they are not reasonable as to price on the basis of cost estimates prepared 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.

NOW, THEREFORE, BE IT RESOLVED this 25th day of October, 2018, by the Brick Township Municipal Utilities Authority as follows:

1. The Authority rejects all bids submitted for the Observation Wells Project.
2. The Authority, having rejected all bids on two (2) occasions, hereby authorizes staff, in consultation with its professionals to negotiate a Contract in strict accord with the terms/procedures set forth in N.J.S.A. 40A:11-5.
3. The Authority authorizes and directs the Chairman, Executive Director, and Secretary 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:
 - A. Gregory M. Flynn, Chairman
 - B. Chris A. Theodos, Executive Director
 - C. Joseph Maggio, Director of Water Quality
 - D. John Clifford, C.M.F.O.
 - E. Nicholas C. Montenegro, Esquire
 - F. Uni-Tech Drilling Company, Inc.
 - G. A.C. Schultes, Inc.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 25th day of October, 2018, a quorum being present and voting in the majority.



Maria E. Foster, Asst. Sec./Treas.

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