

Resolution 10-048

RESOLUTION TO REJECT BIDS FOR CONTRACT NUMBER 35 -INTERCEPTOR
SEWER CLEANING, VIDEO INSPECTION AND REHABILITATION PROJECT

WHEREAS, the Rockaway Valley Regional Sewerage Authority ("RVRSA") issued a Notice to Bidders seeking sealed competitive bids for RVRSA Contract No. 35 – Interceptor Sewer Cleaning, Video Inspection and Rehabilitation Project; and

WHEREAS, the RVRSA received sealed competitive bids on May 26, 2010, and the same have been reviewed by the RVRSA and legal counsel to determine compliance with the bid specifications in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, Nicholas Valese P.E., Hatch Mott MacDonald, consulting engineer for the RVRSA has made factual findings and determinations as contained in the Bid Report dated June 10, 2010, attached hereto and made a part hereof; and

WHEREAS, pursuant to the Bid Report, the two bids submitted exceed RVRSA's consulting engineer's estimate of the cost of the work \$ 2,052,028.00. The low bid of \$3,137,580.00 by En-Tech Corporation exceed the Engineer's estimate by \$1,085,552.00 as well as, the amount financed by the RVRSA through the New Jersey Environmental Infrastructure Trust of \$2,100,000; and

WHEREAS, the public notice and bid specifications specifically reserved to RVRSA the right to reject all bids; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-13.2, permits the rejection of all bids if "the lowest bid substantially exceeds the cost estimates for the goods or services" or "substantially exceeds the appropriation;" and

WHEREAS, the bids submitted substantially exceed the consulting engineer's cost estimates, and substantially exceeds the appropriation, and consequently RVRSA has determined that it is in the best interest of the Authority to reject all bids.

NOW THEREFORE BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority as follows:

1. All bids submitted for RVRSA Interceptor Sewer Cleaning, Video Inspection and Rehabilitation Project, Contract No. 35, are hereby rejected as they significantly exceeded the consulting engineer's cost estimate and substantially exceed the appropriation.

2. The RVRSA's Consulting Engineers, Hatch Mott MacDonald, are authorized and directed to revise the bid documents for re-bid, so as to include only the interceptor repair portion of the project. This effort shall be undertaken utilizing funds available under the current appropriation for Contract 35.

3. The Executive Director is hereby authorized and directed to release the bid security of those bidders rejected and to take all other actions necessary and proper to implement this Resolution.

I, HEREBY CERTIFY that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on June 10, 2010

On motion of Bruce MacNeal

Seconded by John Cegelka

And a Roll Call vote as follows:

Yeas (7): Cegelka, Corbett, Klingener, Lowell, MacNeal, Schorno, Secco

Nays (0): None

Abstain (0): None

Absent (3); Guadagno, Schafer, Schulman



Bruce W. MacNeal
Secretary