

RESOLUTION 11-037

RESOLUTION AUTHORIZING EMERGENCY PROCUREMENT OF SERVICES IN CONNECTION WITH REPLACEMENT IN KIND OF A MANHOLE APPURTENANCE WHICH HAS SEVERE STRUCTURAL EROSION AND IS IN THE EMINENT OF CATASTROPHIC FAILURE

**WHEREAS**, the Rockaway Valley Regional Sewerage Authority (RVRSA) has entered into a public contract with Insituform Technologies, entitled Interceptor Sewer Cleaning, Video Inspection and Rehabilitation Project 2009, Contract No. 35, State EIT Project No. S340756-02, for the rehabilitation of its trunkline; and

**WHEREAS**, the RVRSA has initially identified MH No. 16A, in the Denville Township portion of the contract to be cleaned, rehabilitated and repaired; and

**WHEREAS**, upon the physical inspection of the MH No. 16A, it was discovered that the identified manhole had deteriorated to the point where a replacement in kind of the manhole is required, which was beyond the original scope as intended in contractual agreement entered with Insituform Technologies under Contract No. 39; and

**WHEREAS**, the RVRSA solicited repair proposal from current contractor Insituform Technologies and obtain a write quote in the amount of \$164,386.86; and

**WHEREAS**, the RVRSA also solicited two other comparison proposals from Montana Construction in the amount of \$91,111.00 for replacement in kind, and EnTech Corporation in the amount of \$64,000.00 for repair of existing structurally damaged manhole; and

**WHEREAS**, the RVRSA deems this situation to be hazard to the public safety due to the eminent failure of the manhole structures; and

WHEREAS, the RVRSA has reviewed the recommendations as filed by Mr. Nicholas Valese, P.E. of the firm of Hatch Mott MacDonald, the engineering consultants retained to administer the project management of Contract No. 35 which declares this to be an emergency situation; and

**WHEREAS**, the RVRSA has reviewed the written proposals filed with the Authority by the Executive Director for the emergency repair of the structurally damaged manhole, identified as MH 16A, in the Denville Township portion of Contract No. 35 project; and

**WHEREAS**, under the Local Public Contracts Law, N.J.S.A. 40A:11-6, requisitions for procurement of services or goods may be awarded without public advertising for bids and bidding when an emergency affecting the public health, safety or welfare requires the immediate performance of said services; and

**WHEREAS**, the RVRSA is satisfied that, for the reasons articulated in the written requisitions from Edward Ho, Executive Director, attached hereto and made a part hereof, the proposed emergency procurement is justified and meets the requirements of the Local Public Contracts Law and N.J.A.C. 5:34-6.1.

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

1. The RVRSA declares that an emergency existed due to the immediate need to immediately procure services to replace the structurally damaged manhole Identified as MH 16A.
2. The Executive Director is authorized to issue purchase orders for the provision of emergency services for repair and replacement of structurally damaged manhole MJ 16A with:
  - Montana Construction  
80 Contant Avenue, Lodi, NJ 07644  
Attention: Dominic Santaire – Tel.: (73) 478 7604
3. Funds are available in the RVRSA's 2011 approved budget..
4. This Resolution shall take effect as provided by law.

*I hereby* certify that this Resolution was adopted at a regularly scheduled meeting of the Rockaway Valley Regional Sewerage Authority held on April 14, 2011

On motion of John Cegelka

Seconded by Michael Guadagno


and a Roll Call Vote as Follows:

Yeas: (8) Cegelka, Corbett, Guadagno, Klingener, Lowell, MacNeal, Schaefer, Schorno

Nays: (0) None

Abstain: (0) None

Absent: (2) Schulman and Secco

  
Bruce MacNeal  
Secretary