

**RESOLUTION AWARDING CONTRACT FOR SLUDGE
HAULING SERVICES TO RUSSELL REID WASTE HAULING
AND DISPOSAL SERVICE COMPANY, INC. IN ACCORDANCE
WITH THE REQUIREMENTS OF N.J.S.A. 40A:11-5(3)**

WHEREAS, the Rockaway Valley Regional Sewerage Authority (the “Authority”) publicly advertised for the receipt of bids, in accordance with N.J.S.A. 40A:11-1 et seq., for the provision of sludge hauling services, according to bid specifications which were received and publicly opened on January 28, 2020; and

WHEREAS, on February 13, 2020, the Authority rejected all the bids received on January 28, 2020 for sludge hauling services in accordance with N.J.S.A. 40A:11-13.2(b) for substantially exceeding the Authority’s budget appropriation for the services and authorized the re-advertisement for sludge hauling services pursuant to Resolution No. 20-027; and

WHEREAS, upon re-advertisement for sludge hauling services, sealed bids were received and publicly opened in accordance with the duly published Notice to Bidders on March 5, 2020; and

WHEREAS, responses to the bid solicitation were received from the following:

R-D Trucking, Inc. 700 Route 46 West Clifton, New Jersey 07461	\$0.0375/gal (Months 1-12) \$0.0375/gal (Months 13-24)
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Russell Reid Waste Hauling and Disposal Service Co., Inc. 200 Smith Street Keasbey, New Jersey 08832	\$0.0479/gal (Months 1-12) \$0.0484/gal (Months 13-24)
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WHEREAS, the submission received on March 5, 2020 from R-D Trucking, Inc. was non-responsive for failing to provide the “Tanker Volume, Gallons” of each tanker as required by the “List of Equipment Owned or Controlled by Bidder” as part of the “Equipment Certification” which is a material defect that could not be waived by the Authority; and

WHEREAS, the bid price from Russell Reid Waste Hauling and Disposal Service Co., Inc. received on March 5, 2020 substantially exceeded the 2020 budget appropriation for the provision of sludge hauling services; and

WHEREAS, on March 12, 2020, the Authority adopted a Resolution rejecting the submission to the bid solicitation for sludge hauling services received on March 5, 2020 from R-D Trucking, Inc. as non-responsive because said submission omitted to provide the "Tanker Volume, Gallons" of each tanker as required by the "List of Equipment Owned or Controlled by Bidder" as part of the "Equipment Certification" which was a material defect that could not be waived by the Authority and rejected the bid of Russell Reid Waste Hauling and Disposal Service Company, Inc., the only responsible bid received on March 5, 2020, for substantially exceeding the Authority's budget appropriation for sludge hauling services; and

WHEREAS, the Local Public Contracts Law, provides that a contract may be negotiated with each responsible bidder that submitted bids on the second occasion (March 5, 2020) in accordance with the limitations set forth in N.J.S.A. 40A:11-5(3) if bids were rejected on two 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 bid advertisement; and

WHEREAS, Russell Reid Waste Hauling and Disposal Service Company, Inc. was the only responsible bidder on the second occasion because the submission made by R-D Trucking, Inc. was non-responsive; and

WHEREAS, on March 12, 2020, the Authority's Resolution further authorized the sludge hauling contract to be negotiated in accordance with the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-5(3); and

WHEREAS, thereafter the Executive Director negotiated the sludge hauling services contract with Russell Reid Waste Hauling and Disposal Service Company, Inc. and 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; and

WHEREAS, the negotiated price is in the amount of **\$0.044/gal (Months 1-12) and \$0.047/gal (Months 13-24)** which is lower than the lowest rejected bid price of

\$0.0479/gal (Months 1-12) and \$0.0484/gal (Months 13-24) provided by Russell Reid Waste Hauling and Disposal Service Company, Inc. on March 5, 2020 as the only responsible bidder on the second occasion; and

WHEREAS, the Executive Director made a reasonable effort to determine that the sludge hauling services to be provided, at a cost lower than the aforementioned 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 RVRSA is located, or any municipality in close proximity to the RVRSA; and

WHEREAS, N.J.S.A. 40A:11-5(3) requires approval for the execution of the negotiated contract by a two-thirds (2/3) affirmative vote of the Authority's authorized membership.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority, on this 14th day of May, 2020, as follows:

1. The Sludge Hauling Services Contract is awarded to Russell Reid Waste Hauling and Disposal Service Company, Inc., having a business address of 200 Smith Street, Keasbey, New Jersey 08832 for the negotiated price of \$0.044/gal (Months 1-12) and \$0.047/gal (Months 13-24) in which 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 and the Executive Director is authorized to execute said contract.
2. The Executive Director, staff and consultants are authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
3. This Resolution is effective immediately and a copy of this Resolution shall be kept on file at the offices of the Authority.

CERTIFICATION

I hereby certify that this Resolution was adopted at a regular meeting of the Rockaway Valley Regional Sewerage Authority held on May 14, 2020.

On motion of Michael Guadagno

Seconded by John Cegelka

And a Roll Call Vote as Follows:

Yeas: (8) Cegelka, Corbett, Guadagno, Isselin, Farrell, Rossi, Schorno, Zuppa

Nays: (0)

Abstain: (2) Andes, Recchia

Absent: (0)


Michael Guadagno, Board Secretary