

**RESOLUTION AWARDING CONTRACT NO. 41 – PHOSPHORUS REMOVAL AND
FILTRATION FACILITIES PROJECT TO COPPOLA SERVICES
SUBJECT TO APPROVAL BY
THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

WHEREAS, the Rockaway Valley Regional Sewerage Authority (hereinafter “the Authority”) issued a Notice to Bidders seeking sealed competitive bids for Contract No. 41 – “Phosphorus Removal and Filtration Facilities Project”; and

WHEREAS, the Authority received nine sealed competitive bids on December 18, 2020 at 10:00 a.m. from the following bidders:

<u>Bidder</u>	<u>Bid Price</u>
Coppola Services	\$10,844,890
Allied Construction	\$11,181,600
CMS Construction	\$11,321,362
Tomar Construction Services, Inc.	\$11,631,000
Pact Two, LLC	\$12,210,000
Railroad Construction Company	\$13,888,000
Spectraserv	\$13,988,000
Stone Hill Contracting	\$15,607,138
Welkin Mechanical LLC	\$21,345,000

WHEREAS, after the aforementioned review and in accordance with its letter, dated January 5, 2021, the Authority’s consultant Mott MacDonald recommends that the Authority

award Contract No. 41 – “Phosphorus Removal and Filtration Facilities Project” to Coppola Services.; and

WHEREAS, the firm of Maraziti Falcon, L.L.P. opines, by memorandum dated January 11, 2021, that the bid of Coppola Services, does not contain any material defects; and

WHEREAS, funds to finance Contract No. 41 – “Phosphorus Removal and Filtration Facilities Project,” are available through the New Jersey Environmental Infrastructure Trust, and the award of said contract to the lowest responsible bidder is subject to review and approval by the New Jersey Department of Environmental Protection; and

WHEREAS, the bidding documents include plans for the improvement to public property that were designed by Mott MacDonald; and

WHEREAS, N.J.S.A. 59:4-6 provides that neither the public entity nor a public employee is liable for an injury caused by the plan or design of public property or any improvement thereto where the plan or design was approved in advance of construction or improvement by the Authority or a public employee exercising discretionary authority to give such approval on its behalf where such plan or design was prepared in conformity with standards previously approved by the Authority; and

WHEREAS, the Authority desires to record its approval of said plans and design for Contract No. 41 – “Phosphorus Removal and Filtration Facilities Project” for the purpose of plan and design immunity provided by N.J.S.A. 59:4-6.

NOW THEREFORE BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority in the County of Morris and the State of New Jersey on this 14th day of January, 2021 as follows:

1. All immaterial defects contained in the bid submission of Coppola Services, if any, are waived and the Authority awards Contract No. 41 – “Phosphorus Removal and Filtration Facilities Project” to Coppola Services, having a business address of 28 Executive Parkway, Ringwood, New Jersey, as the lowest responsible and responsive bidder in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., subject to approval of award by the New Jersey Department of Environmental Protection.
2. All bid security, except for the security of the three apparent lowest responsible bidders, shall be returned within 10 days after the opening of the bids, Sundays and holidays excepted. In the event that the New Jersey Department of Environmental Protection approves the award of Contract No. 41 – “Phosphorus Removal and Filtration Facilities Project” to Coppola Services, the Bid Security of all the remaining unaccepted bids shall be released and returned within three days, Sundays and holidays excepted, after the full execution of the contract and the approval of the contractor’s performance bond.
3. The entire design, specifications, and plans prepared by Mott MacDonald and to be utilized for Contract No. 41 – “Phosphorus Removal and Filtration Facilities Project” are hereby approved for the purpose of the immunity to be provided to the Authority and its employees in accordance with N.J.S.A. 59:4-6.
4. The Executive Director, staff and consultants are authorized to take all appropriate actions to effectuate the terms of this Resolution and in the event the aforementioned approval by the New Jersey Department of Environmental Protection, to take measures to ensure that all appropriate documents, as required by Contract No. 41 – “Phosphorus Removal and Filtration Facilities Project,” are provided by the Contractor prior to the issuance of a Notice to Proceed.
5. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that this Resolution was adopted at a regular meeting of the Rockaway Valley Regional Sewerage Authority held on **January 14, 2021.**

On motion: Commissioner Andes

Second by: Commissioner Corbett

And a Roll Call Vote as Follows:

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

Nays: (0)

Abstain: (0)

Absent: (2) Recchia, Borough of Rockaway Commissioner
Michael Guadagno
Michael Guadagno,
Board Secretary