

Resolution 21-136

**ADOPTING MANDATORY MINIMUM BIDDER QUALIFICATIONS AS PREQUALIFICATION REGULATIONS FOR THE PROCUREMENT OF CONTRACT NO. 43 – THE INTERCEPTOR SEWER-BOONTON SECTION REPLACEMENT PROJECT**

**WHEREAS**, N.J.S.A. 40A:11-25 permits a governing body to establish regulations appropriate for controlling the qualifications of prospective bidders upon contracts to be awarded on behalf of the governing body; and

**WHEREAS**, the Rockaway Valley Regional Sewerage Authority (RVRSA) desires to establish specific mandatory minimum bidder qualifications as prequalification regulations for the procurement of Contract No. 43 – The Interceptor Sewer-Boonton Section Replacement Project; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-25, notice was published regarding the public hearing scheduled for December 9, 2021 before the RVRSA Board on the proposed mandatory minimum bidder qualifications; and

**WHEREAS**, prior to scheduling the public hearing, the RVRSA's staff and consultant, Mott MacDonald, submitted the proposed prequalification regulations, in the form of mandatory minimum qualifications, to the Department of Community Affairs, Division of Local Government Services, for informal review; and

**WHEREAS**, as a result of the informal review by the Department of Community Affairs, Division of Local Government Services of the proposed prequalification regulations, in the form of mandatory minimum qualifications, the Department's Division of Purchasing and Procurement advised on October 26, 2021 to proceed to the public hearing on the same and that the informal review does not bind the Director's final decision; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-25, on Thursday, December 9, 2021 the RVRSA held a public hearing on the mandatory minimum bidder qualifications as prequalification regulations for the procurement of the contract for Contract No. 43 – The Interceptor Sewer-Boonton Section Replacement Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Rockaway Valley Regional Sewerage Authority, on this 9<sup>th</sup> day of December, 2021 as follows:

- 1) Pursuant to N.J.S.A. 40A:11-25, the RVRSA hereby adopts the prequalification requirements for the future procurement of Contract No. 43 – The Interceptor Sewer-Boonton Section Replacement Project, attached hereto.

- 2) The Executive Director is hereby authorized and directed to forward a certified copy of this Resolution, the adopted prequalification regulations, copies of proof of publication of the public hearing, certified and sealed copy of the transcript of the public hearing, and completed, certified and sealed Standard Certification form to the Director of the Division of Local Government Services within 10 days from the adoption of this resolution for approval pursuant to the N.J.S.A. 40A:11-25.
- 3) The prequalification regulations adopted hereto for the future procurement of Contract No. 43 – The Interceptor Sewer-Boonton Section Replacement Project shall not be utilized unless the same is either approved in writing by or on behalf of the Director for the Division of Local Government Services, Department of Community Affairs or be taking effect in accordance with N.J.S.A. 40A:11-25.
- 4) The Executive Director, staff and consultants are hereby authorized and directed to take any and all steps necessary to effectuate the purpose of this Resolution.
- 5) This Resolution shall take effect immediately.

#### C E R T I F I C A T I O N

I do hereby certify that this Resolution was adopted at a regular meeting of the Rockaway Valley Regional Sewerage Authority held on December 9, 2021.

on motion of: Commissioner Howarth

second by: Commissioner Andes

#### ROLL CALL VOTE:

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

Nays: (0) None

Abstain: (1) Recchia

Absent: (1) Corbett



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Michael Guadagno  
Board Secretary