

Resolution 23-042

**RESOLUTION TO AWARD CONTRACT FOR
METER INSPECTION, REPAIR AND CALIBRATION**

WHEREAS, the Rockaway Valley Regional Sewerage Authority (hereinafter the Authority) utilizes meter units for the measurement of flow, which meter units are required to be inspected on an annual basis and calibrated on a quarterly basis to ensure their continued accuracy; and

WHEREAS, the Rockaway Valley Regional Sewerage Authority ("RVRSA") issued a Notice to Bidders for the receipt of sealed proposals for the performance of meter inspection, repair, and calibration services for a twelve (12) month period, with an option to renew such contract for an additional twelve (12) month period at the sole discretion of the Authority; and

WHEREAS, the RVRSA received two bids on February 23, 2023 from North East Technical Sales and Dave Heiner Associates; and

WHEREAS, the bid for the performance of the annual meter inspection, repair, and calibration from North East Technical Sales, is in the amount of \$61,000.00 for the first year and \$64,100.00 for the second year; and

WHEREAS, the bids have been reviewed by the RVRSA 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, the bid proposal of North East Technical Sales included a bid bond in an amount substantially less than that required by the bid specifications, which is a material defect that cannot be waived by the RVRSA and renders the bid proposal of North East Technical Sales unresponsive in accordance with N.J.S.A. 40A:11-23.2; and

WHEREAS, the bid for the performance of the annual meter inspection, repair, and calibration from Dave Heiner Associates, is in the amount of \$61,600 for the first year and \$66,000 for the second year, hourly labor rate for repair and or installation of meters of \$175.00/hour for year one and \$185.00 for year two, and cost markup of parts outside of State or Local Purchasing Agreements of 18% for year one and two; and

WHEREAS, Diane Alexander, Esq. of Maraziti, Falcon, LLP has determined that the bid submitted by Dave Heiner Associates, has met the legal requirements in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and as set forth in the bid specifications; and

WHEREAS, Authority Staff recommend that it would be in the best interests of the Authority to award the bid to Dave Heiner Associates, for one year with an option to renew for a second year at the discretion of the Authority and provided that sufficient funding is available for months thirteen (13) through twenty-four (24); and

WHEREAS, the CFO has certified that sufficient funds are available from line items 01-507-020, 01-507-040 and 01-851-002 to provide funding for the contract.

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

1. RVRSA hereby rejects the bid proposal of North East Technical Sales for failure to provide a bid bond at the time of bid opening in accordance with N.J.S.A. 40A:11-23.2.
2. All immaterial defects, if any, contained in the bid submission of Dave Heiner Associates., 3799 Rt. 46, Suite 102, Parsippany, NJ 07054, are hereby waived and the Executive Director is authorized and directed to execute a one (1) year contract, with an option to renew for an additional one year period subject to the availability of financing therefore, for Meter Inspections, Repair and Calibrations, in the amount not to exceed \$98,600.00 without further Board authorization, with Dave Heiner Associates, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
3. The Executive Director is authorized and directed to return the bid security that was provided by North East Technical Sales and is further directed to forward notice of award to Dave Heiner Associates.
4. RVRSA staff and consultants are hereby authorized and directed to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
5. A copy of the resolution and contract shall be kept available for public inspection at the RVRSA office at the Administration Building, 99 Green Bank Road, Parsippany, New Jersey.
6. This Resolution shall take effect as provided by law.

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

I do hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on March 9, 2023.

On a motion of Commissioner Corbett

seconded by Commissioner Howarth

and a roll call as follows:

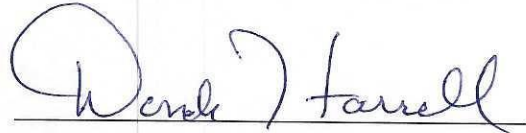
Resolution 23-042

Yeas: (10) Andes, Cegelka, Corbett, Farrell, Howarth, Isselin, Lavery, Potter, Schorno, and Zuppa.

Nays: (0) None

Abstain (0) None

Absent: (0) None

A handwritten signature in cursive script, reading "Donald Farrell", written over a horizontal line.

Donald Farrell, Board Secretary