

NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY

RESOLUTION

No. 07-2015

Date: January 26, 2015

**REJECTING BIDS AND APPROVING RE-BID OF
CONTRACT #268
INCINERATOR EMISSIONS UPGRADE PROJECT**

WHEREAS the Northwest Bergen County Utilities Authority (the "Authority") solicited bid proposals for its proposed Contract No. 268 – Incinerator Emissions Upgrade Project ("the Project"); and

WHEREAS three bid proposals were received by the Authority on January 7, 2015; and

WHEREAS the bid package from Iron Hills Construction, Inc., was reviewed by the Authority's Engineer and Counsel and determined to be materially defective in that, among other deficiencies, its bid failed to acknowledge receipt of Addendum #3, a material defect; and

WHEREAS the bids from the two other bidders, Industrial Furnace Company, Inc. and Stone Hill Contracting Co., Inc., were responsive bids however the bids submitted by Industrial Furnace Company, Inc. and Stone Hill Contracting Co., Inc., each substantially exceeded the Engineer's Estimate of cost; and

WHEREAS the Authority's professional staff have recommended that the bid of Iron Hills Construction, Inc., be rejected as non-responsive; and

WHEREAS the Authority's professional staff have recommended that the bids of Industrial Furnace Company, Inc. and Stone Hill Contracting Co., Inc. be rejected in accordance with *N.J.S.A. 40A:11-13.2(a)*, which authorizes the Authority to reject all bids when "the lowest bid substantially exceeds the cost estimates for the goods or services;" and

WHEREAS the Commissioners of the Authority have determined that the bid of Iron Hills Construction Inc., was non-responsive; and

WHEREAS the Commissioners of the Authority have determined that it is in the best interest of the Authority to reject the bids of Industrial Furnace Company, Inc. and Stone Hill Contracting Co., Inc., because they substantially exceed the cost estimates for the goods and services to be provided, and to re-bid the Project; and

WHEREAS the Authority has applied to finance the Project with bonds from the New Jersey Environmental Infrastructure Trust ("NJEIF"); and

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WHEREAS, for the Authority to receive NJEIT financing for the Project this year certain deadlines must be met; and

WHEREAS, in order to meet the NJEIT deadlines for financing this year, the Authority must have received and recommended a responsive bid proposal to the Department of Environmental Protection (“DEP”) for approval before January 30, 2015; and

WHEREAS, in order to receive such bids, allow the Authority’s professional staff to review those bids, and provide a recommendation to the DEP for it to approve before January 30, 2015, it is necessary to receive new bids by January 27, 2015; and

WHEREAS, in order to receive new bids for the Project by January 27, 2015, the Authority staff placed advertisements or public notices for re-bid in the Bergen Record and the Ridgewood News that ran on January 16, 2015, and

WHEREAS the Authority’s Engineer also provided a notice by Electronic Mail of the Authority’s advertisement for new re-bids on the Project to all companies that had expressed interest in bidding on the Project when it was first advertised on January 16, 2015; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Northwest Bergen County Utilities Authority that the bid of Iron Hills Construction, Inc., be rejected as non-responsive; and be it

FURTHER RESOLVED, by the Commissioners of the Northwest Bergen County Utilities Authority that the bids of Industrial Furnace Company, Inc. and Stone Hill Contracting Co., Inc., be rejected for substantially exceeding the Engineer’s Estimate; and be it

FURTHER RESOLVED, that the Commissioners of the NBCUA authorize and ratify the actions of the Authority staff advertising the Project for re-bid on January 16, 2015, with bids to be submitted by 10:00 a.m. on January 27, 2015; and be it

FURTHER RESOLVED, the schedule for re-bidding the Project be approved *nunc pro tunc*.

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IT IS HEREBY CERTIFIED that this is a true copy of a Resolution adopted by the Northwest Bergen County Utilities Authority upon a roll call vote of all Commissioners of the Authority eligible to vote at a special meeting held on January 26, 2015.


SECRETARY


~~VICE-CHAIRMAN~~
Commissioner

	Bonagura	DaPuzzo	DePhillips	Gabbert	Kasparian	Kelahr	Plumley	Salazer	Chewcaskie
Offered						✓			
Seconded				✓					
Aye	✓	✓		✓		✓	✓	✓	✓
Nay									
Absent			✓		✓				
Abstain									
Recuse									