

RESOLUTION REJECTING ALL BIDS FOR MAIN STREET AND PARK PLACE
SANITARY SEWER REPLACEMENT PROJECT CONTRACT NO. PRB-19-1 AND
AUTHORIZING READVERTISEMENT FOR THE SOLITICATION OF
SEALED COMPETITIVE BIDS

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (“Authority”) solicited bids for the Main Street and Park Place Sanitary Sewer Replacement Project, Contract No. PRB-19-1; and

WHEREAS, three bids were received on August 1, 2019 as follows:

Montana Construction Corp., Inc. 80 Contant Avenue Lodi, New Jersey 07644	\$1,192,700.00
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J. Fletcher Creamer & Son, Inc. 101 East Broadway Hackensack, New Jersey 07601	\$1,424,550.00
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Scafar Contracting, Inc. 14 Ridgedale Avenue, Suite 130 Cedar Knolls, New Jersey 07927	\$2,299,750.00
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WHEREAS, the bidding documents were reviewed by the Authority’s staff and consultants, including the firm Maraziti, Falcon LLP and the firm Mott McDonald; and

WHEREAS, the bid response from Montana Construction Corp., Inc. failed to acknowledge the receipt of Addendum No. 1 at the time of receipt of bids and pursuant to N.J.S.A. 40A:11-23.2 that failure “shall be deemed a fatal defect that shall render the bid proposal unresponsive and that cannot be cured by the governing body”; and

WHEREAS, the bid response from Montana Construction Corp., Inc. was approximately 27.0% higher than the pre-bid cost estimate; and

WHEREAS, the bid response from J. Fletcher Creamer & Son, Inc. was approximately 51.6% higher than the pre-bid cost estimate; and

WHEREAS, the bid response from Scafar Contracting, Inc was approximal 245% higher than the pre-bid cost estimate; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., provides that the Authority may reject all bids if the “lowest bid substantially exceeds the cost estimates for the goods or services” pursuant to N.J.S.A. 40A:11-13.2(a); and

WHEREAS, the Authority desires to reject the bid of Montana Construction Corp., Inc. as unresponsive for failing to acknowledge Addendum No. 1 at the time of receipt of bid in accordance with N.J.S.A. 40A:11-23.2, a material defect that cannot be cured by the Authority, and the Authority desires to reject all bids for substantially exceeding the cost estimates for the goods or services in accordance with N.J.S.A. 40A:11-13.2.

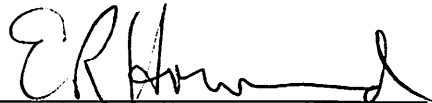
NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic and State of New Jersey, on this 21st day of August 2019, as follows:

1. The bid submission from Montana Construction Corp., Inc. is unresponsive and rejected for failing to acknowledge Addendum No. 1 at the time of receipt of bid and cannot be cured by the Authority in accordance with N.J.S.A. 40A:11-23.2.
2. All bids are rejected for substantially exceeding the cost estimate for the goods or services in accordance with N.J.S.A. 40A:11-13.2.
3. The bid security of all bidders shall be returned in accordance with law.

4. Re-advertisement for the solicitation of sealed competitive bids for the Main Street and Park Place Sanitary Sewer Replacement Project, Contract No. PRB-19-1, is authorized.
5. The Authority's staff and consultants are authorized and directed to take such actions as are necessary or desirable to effectuate the terms and conditions of this Resolution.
6. This Resolution shall take effect immediately.

CERTIFICATION

Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Pequannock River Basin Regional Sewerage Authority held on this 21st day of August, 2019.


Edwin Howard, Secretary