

## READINGTON-LEBANON SEWERAGE AUTHORITY

June 28, 2017

**OPENING:** Chairman, Dr. Schaible opened this regular meeting and announced that the Sunshine laws have been satisfied for the convening of this meeting.

**PRESENT:** Dr. Schaible, Mr. Monaco, and Dr. Westfield, Ms. Rohrbach members, Mrs. Plesnarski administrator. Mr. Cichone and Mr. Burton did not attend.

**APPROVAL OF MINUTES:** Motion to approve the minutes from the regular meeting of May 24, 2017 as written, was carried with roll call of ayes all, nays none.

**APPROVAL OF INVOICES:** Motion to approve invoices for June in the amount of \$ **94,167.03** along with authorization for the Administrator to transfer this amount into the Operating Checking account on July 3, 2017 was made by Ms. Rohrbach. By same motion, approval and authorization of (1) invoice totaling **\$3290.00** to be paid from the General Fund Account on July 3, 2017, seconded by Dr. Westfield, and carried with a roll call of ayes all, nays none.

**APPROVAL OF BUDGET STATEMENT:** Motion to acknowledge the review and approve the June Budget Statement without any exceptions noted as written was made by Mr. Monaco, seconded by Ms. Rohrbach and carried with a roll call of ayes all, nays none.

**NEW BUSINESS:** *Process Water Pump Bid* – Dr. Schaible summarized the bids received for the Process Water System Improvements. The apparent low bid received from VNL Inc. of \$135,000.00 upon review by Mr. Buzak, Esq. was non-responsive as the bidder was not a registered Public Works Contractor on the date of bid submission causing the bid to be rejected. Additionally, VNL Inc. President, Mr. Lacap withdrew the bid within the

required time frame. Mr. Lacap, sited a math error in the calculation of the bid pricing. Mr. Ponte recommended award to the second low bidder, Samuel Stothoff Co., Inc. in the amount of \$197,000.00. Mr. Buzak, Esq. reviewed, and also recommends award to Samuel Stothoff Co., Inc. Mr. Monaco questioned the difference in the Engineer's estimate for the project of \$161,300.00. Mr. Ponte noted that he had under estimated the cost to provide a temporary by-pass process water system during installation. Dr. Westfield questioned where the funding would come from for the project. Mrs. Plesnarski stated that funding would come from unrestricted funds in the General Fund. Dr. Schaible felt comfortable awarding the process water improvements contract to Samuel Stothoff Co., Inc. Dr. Westfield inquired about the timeline of the project. Mr. Ponte estimated three months to obtain approval to proceed and then seven months to complete. Motion to adopt the resolution to award Contract 16-1 for the Process Water System Improvements to Samuel Stothoff Co., Inc. as the lowest responsive and responsible bidder was made by Dr. Westfield, seconded by Ms. Rohrbach and carried with roll call of ayes all, nays none.

*Association of Environmental Authorities* – Ms. Gallo, Executive Director of the AEA was introduced to the board by Mrs. Plesnarski. Ms. Gallo wanted to thank the board for their continued support of AEA and review the association's benefits. Ms. Gallo stressed the value of volunteers and thanked Mrs. Plesnarski for volunteering to be part of the education conference review committee. The three major functions of AEA are advocacy in the monitoring of the regulatory area, legislative, public awareness.

*Auditor's 2016 Audit Review* – Mr. Colantano noted that there were no recommendations. The new administrator is very involved and there are more internal controls. The surplus is able to pay for the process water project. The positive unrestricted surplus fund balance is after inclusion of the potential pension liability. In Mr. Colantano's experience, this is not the case with other authorities. Mr. Colantano noted that the financial health of the Authority continues to be very good.

**OLD BUSINESS:**

**ADJOURNMENT:** As there was no further business to come before the Board, meeting was adjourned by motion made by Dr. Schaible seconded by Mr. Monaco and carried with a roll call of ayes all, nays none.

Respectfully submitted:

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Dr. Westfield  
Secretary/Treasurer

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Virginia Weierich  
Recording Secretary

**RESOLUTION  
17-14**

**AUTHORIZING THE AWARD OF CONTRACT 16-1  
PROCESS WATER SYSTEM IMPROVEMENTS  
TO SAMUEL STOTHOFF CO., INC.  
AS THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER**

**WHEREAS**, the Readington-Lebanon Sewerage Authority (“RLSA” or “Authority”) sought bids for Process Water System Improvements; and

**WHEREAS**, three sealed bids were received and opened by the RLSA on June 7, 2017; and

**WHEREAS**, the apparent low bidder, V.N.L., Inc. submitted a bid for \$135,000.00; and

**WHEREAS**, V.N.L., Inc. was not a registered Public Works Contractor under the Public Works Contractor Registration Act as of the date of the submission of the bid, but instead had submitted with their bid a confirmation that they had submitted **an application** on May 27, 2017 for registration, although they were not actually registered as of the date of the submission of their bid, making their bid non-responsive and necessitating its rejection pursuant to N.J.S.A. 34:11-56.51; and

**WHEREAS**, subsequently, by letter dated June 12, 2017, V.N.L., Inc. sought to withdraw its bid due to “. . . a math error that occurs between the calculation sheet and the Bid Pricing”; and

**WHEREAS**, the second low bidder, Samuel Stothoff Co., Inc. submitted a bid in the amount of \$197,000.00 which met all appropriate requirements to be awarded the contract; and

**WHEREAS**, by letter dated June 23, 2017, R3-M Engineering, Inc. recommended the award of the Contract to the second low bidder, Samuel Stothoff Co., Inc.; and

**WHEREAS**, by letter dated June 23, 2017, counsel for the Authority concluded that submission of the apparent low bidder, V.N.L., Inc. must be rejected because said contractor was not registered under the Public Works Contractor Registration Act and recommended the award of the contract to Samuel Stothoff Co., Inc. as the lowest responsible and responsive bidder; and

**WHEREAS**, the RLSA desires to adopt the recommendations of its Engineer and Attorney, reject the apparent low bidder and award the contract to the second low bidder, Samuel Stothoff Co., Inc., in the amount of \$197,000.00; and

**WHEREAS**, the Administrator certifies that the funding source for \$197,000.00 shall be from unrestricted funds in the General Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Readington-Lebanon Sewerage Authority, County of Hunterdon, State of New Jersey as follows:

1. The bid of the apparent low bidder, V.N.L., Inc. is hereby rejected by the Authority as non-responsive in accordance with the recommendations of its Counsel, Edward J. Buzak, Esq., based on the failure of V.N.L., Inc. to be registered under the Public Works Contractor Registration Act, N.J.S.A. 34:1;1-56.51.

2. Because of the rejection of the low bidder for the failure to be registered under the Public Works Contractor Registration Act, neither the Authority nor its Counsel will address the issue of whether the bidder should be permitted to withdraw its bid because that issue is now moot as a result of the contractor's failure to be registered under the Public Works Contractor Registration Act. The Authority makes no determination as to whether the bidder was entitled to

withdraw its bid in accordance with the provisions of N.J.S.A. 40A:11-23.3.

3. Contract 16-1, "Process Water System Improvements" for the total bid price of \$197,000.00 is hereby awarded to Samuel Stothoff Co., Inc., with an address at P.O. Box 306, Flemington, New Jersey 08822 as the lowest responsive and responsible bidder.

4. The officers of the Authority are hereby authorized and directed to execute the contract subsequent to the execution of the same by Samuel Stothoff Co., Inc. and said officers, together with all other officers, professionals and employees of the Authority are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

5. This award is subject to the Contractor's compliance with the requirements of P.L. 1975, c.127 (N.J.S.A. 10:5-31 et seq.) and the regulations thereunder regarding affirmative action.

6. This Resolution shall take effect as herein provided.

**ATTEST:**

**READINGTON-LEBANON SEWERAGE  
AUTHORITY**

By \_\_\_\_\_  
Charles Westfield  
Secretary/Treasurer

By \_\_\_\_\_  
Vincent Schaible  
Chairman

**CERTIFICATION**

I, Charles Westfield, Secretary of the Readington-Lebanon Sewerage Authority hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Readington-

Lebanon Sewerage Authority at their June 28, 2017 meeting.

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Dr. Charles Westfield  
Secretary/Treasurer

I hereby certify that funds are available for the above stated purpose dated June 28, 2017.

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Jill Plesnarski  
Administrator