

**RESOLUTION**

**April 25, 2017**

**WHEREAS**, during the month of March, 2017, purchases were made for goods and or services listed in the Authority's Capital Improvement budget; and

**WHEREAS**, these purchases were made in compliance with the Authority's Internal Purchasing Controls and the Local Public Contracts Law.


**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN AND STATE OF NEW JERSEY, HEREBY RATIFY THE FOLLOWING CAPITAL PURCHASES FOR MARCH, 2017:**

1. Snap on Tools - Shop Key – PO D7-00298 - \$2,257.45
2. Dash Mechanical - 2 Heaters for Shop – PO D7-00339 - \$8,938.00
3. Advanced Insulation System – Spray Form Tire Shop – PO D7-00427- \$7,300.00
4. That a certified copy of this resolution will be entered into the official record of the Authority meeting held on April 25, 2017

**CERTIFICATION**

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Board of Commissioners of the Toms River Municipal Utilities Authority at a regular meeting of said Authority on the 25<sup>th</sup> day of April, 2017.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Authority this 25<sup>th</sup> day of April, 2017.

  
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Georgia Benyola, Assistant Secretary

**Change Order Resolution No. 3 - Final**

**Whereas**, it has come to the attention of the Board of Commissioners of the Toms River Municipal Utilities Authority that a Change Order representing as –built quantity adjustments and the inclusion of extra work is needed to successfully complete the contract for the Re-Bid Pavement/Parking Lot Improvements at the Toms River Municipal Utility Authority Main Facility project; and

**Whereas**, in accordance with N.J.S.A. 5:30 14.4, the Executive Director has recommended that Change Order No.3 final be authorized and that the contract issued to All Surface Asphalt Paving , be decreased by \$10,547.69 and the contract be commensurately decreased from \$339,097.00 to \$328,549.31.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN AND STATE OF NEW JERSEY**, as follows:

1. Change Order No.3 Final is hereby authorized as stated above.
2. The Assistant Secretary shall forward a certified copy of the Resolution to All Surface Asphalt Paving., Maser Consulting, the Executive Director, the Controller and the QPA.

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

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Board of Commissioners of the Toms River Municipal Utilities Authority at a regular meeting of said Board on the 25<sup>th</sup> day of April, 2017.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Authority this 25<sup>th</sup> day of April, 2017.



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Georgia Benyola, Assistant Secretary

## RESOLUTION

April 25, 2017

**WHEREAS**, it has been brought to the attention of the Board of Commissioners of the Toms River Municipal Utilities Authority that the Line Maintenance Foreman is desirous of receiving bids through a fair and open process for the following project:

Acquisition of Manhole Riser Rings

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN AND STATE OF NEW JERSEY**, as follows:

1. That the Qualified Purchasing Agent is hereby authorized to advertise for the receiving of bids for the above-mentioned.
2. That authorization is hereby given to prepare formal bid specifications for the above mentioned acquisition.

## CERTIFICATION

I, Georgia Benyola, Administrative Assistant of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissioners on April 25, 2017.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Authority this 25<sup>th</sup> day of April, 2017.

  
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Georgia Benyola, Assistant Secretary

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

RESOLUTION PERMITTING KMETZ, INC.'S WITHDRAWAL OF ITS BID, RESCINDING CONTRACT AWARD TO KMETZ, INC., AND REJECTING ALL BIDS RECEIVED FOR THE FORCE MAIN REHABILITATION PROJECT CONTRACT #SR-03-09B

**WHEREAS**, the Toms River Municipal Utilities Authority (hereinafter "TRMUA"), County of Ocean, State of New Jersey advertised for bids in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. for the Force Main Rehabilitation Project Contract #SR-03-09B, in accordance with plans and specifications prepared by the TRMUA; and

**WHEREAS**, three bids were received and opened on September 15, 2016; and

**WHEREAS**, the bid received by Kmetz, Inc. in the bid amount of \$370,539.75 was the lowest responsible bid; and

**WHEREAS**, a Resolution awarding a contract to Kmetz, Inc. was duly adopted by the Toms River Municipal Utilities Authority at a regular meeting held on the September 27, 2016; and

**WHEREAS**, Kmetz, Inc. withdrew its bid prior to executing the contract; and

**WHEREAS**, after receiving recommendations from the Engineering Committee and the Engineering Consultant, the TRMUA Commissioners find it in the best interest of the TRMUA and its ratepayers to permit Kmetz, Inc. to withdrawal its bid, to rescind the Resolution awarding the contract to Kmetz, Inc., and to reject all bids because the remaining bids are outside of the scope of the Engineer's estimate.

**NOW, THEREFORE, BE IT RESOLVED**, by the TRMUA Commissioners, County of Ocean, State of New Jersey, that Kmetz, Inc. is permitted to withdrawal its bid; and

**BE IT FURTHER RESOLVED**, that the Resolution adopted by the Toms River Municipal Utilities Authority at a regular meeting held on the September 27, 2016 awarding a contract to Kmetz, Inc. is hereby rescinded; and

**BE IT FURTHER RESOLVED**, that all bids received on September 15, 2016 for the Force Main Rehabilitation Project Contract #SR-03-09B are hereby rejected; and

**BE IT FURTHER RESOLVED**, that any contracts entered into with Kmetz, Inc. for the Force Main Rehabilitation Project Contract #SR-03-09B are hereby declared null and void and rescinded; and

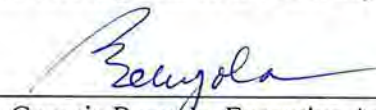
**BE IT FURTHER RESOLVED**, that the TRMUA is hereby authorized and directed to notify all bidders that all bids have been rejected and return the certified checks or Bid Bonds submitted by the bidders.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to the following:

1. Chairman and Commissioners;
2. Stephen C. Acropolis, Executive Director
3. Kmetz, Inc.
4. All other parties in interest.

CERTIFICATION

I, Georgia Benyola, Executive Assistant of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey, do hereby certify the forgoing to be a true and exact copy of a Resolution duly adopted by the Toms River Municipal Utilities Authority at a regular meeting held on the 25th day of April, 2017.

  
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Georgia Benyola, Executive Assistant