

CARNEYS POINT TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION 2024-62

**Resolution Authorizing Contract for Delaware Avenue Pump Station
PGSA Interconnection Project**

WHEREAS, the Carneys Point Township Sewerage Authority (CPTSA) operates a "wastewater treatment system," as that term is defined in the Local Public Contracts Law at N.J.S.A. 40A:11-15(19); and

WHEREAS, the Local Public Contracts Law, at N.J.S.A. 40A:11-5(1), provides that a contract, the price of which exceeds the current bid threshold, may be negotiated and awarded without public bidding if the subject matter of the contract consist of: "(gg) a contract for the provision of... a wastewater treatment system as defined in N.J.S.A. 40A:11-15(19) *or any component part or parts thereof*;" and

WHEREAS, the CPTSA is in need of installing a force main to a Penns Grove Sewerage Authority manhole located on Delaware Avenue, reconnection to the existing force main, electrical improvements within the existing pump station and air relief and metering vaults; and

WHEREAS, the CPTSA will directly procure the construction of the Delaware Avenue Pump Station PGSA Interconnection using N.J.S.A 40A:11-5(1)(gg) which indicates that a contract for "the design, financing and construction" of a wastewater treatment system...or any component or parts thereof.." may be negotiated and awarded without public advertising for bids and bidding thereof. This contract will be a negotiated contract awarded as "non-fair and open" contract under the pay to play statutes since its value will exceed the pay to play threshold; and

WHEREAS, the CPTSA has selected multiple contractors to submit sealed proposals. These contractors had been selected based upon cost, reputation to perform high quality work and other factors considered to advantageous to the CPTSA; and

WHEREAS, two proposals, which are outlined in the Engineer's report of October 2, 2024, were received with Perna Finnigan, Inc. being the lowest proposal at \$937,372.70; and

WHEREAS, the value of the aforementioned contract will exceed \$44,000.00 and, therefore, the proposed contract would fall within the scope of N.J.S.A. 19:44A-1.5; and

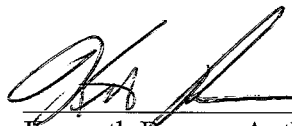
WHEREAS, Perna Finnigan, Inc. has completed and submitted (or will complete and submit prior to execution of the contract authorized by this Resolution) a Business Entity Disclosure Certification that certifies that Perna Finnigan, Inc. has not made any reportable contributions to a political or candidate committee in Carneys Point

Township in the previous one year, and that the contract will prohibit Perna Finnigan, Inc. from making any reportable contributions through the term of the contract;

WHEREAS, as a condition of approval, the Certifying Finance Officer shall certify that sufficient funds are available for the award of the contract to Perna Finnigan, Inc. for the sum not to exceed \$937,372.70.

NOW, THEREFORE, BE IT RESOLVED, by the Members of the Carneys Point Township Sewerage Authority, in the County of Salem and State of New Jersey, as follows:

- 1) All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
- 2) The Authority Chairman and Authority Secretary be and they hereby are authorized to execute a contract with Perna Finnigan, Inc., a term of which incorporates the aforementioned proposal in the amount of \$937,372.70.
- 3) The statutory language required by N.J.S.A. 10:2-1 and 10:5-33 hereby is incorporated into the contract by reference and the contractor is bound by said language together with the other provisions of the anti-discrimination laws of the State of New Jersey, Chapter 127 of the Laws of 1975.
- 4) This Resolution shall only be effective when a copy of a certification of availability of funds prepared by the Certifying Finance Officer of the CPTSA is attached hereto.
- 5) The Business Entity Disclosure Certification and the determination of value shall be placed on file with this Resolution.
- 6) This Resolution shall only become effective when a copy of the New Jersey Business Registration Certificate by Perna Finnigan, Inc. is submitted to the CPTSA pursuant to the provisions of N.J.S.A. 52:32-44b(1) and a copy of that New Jersey Business Registration Certificate shall be placed on file with this Resolution.
- 7) A notice of the letting of this contract shall be published in the CPTSA official newspaper within ten (10) days of the date of this resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Authority Secretary.



Kenneth Brown, Authority Chairman

Date of Adoption: October 15, 2024

Committee	Moved	Seconded	Y	N	Abstain	Absent
Mr. Bomba			✓			
Mr. Basile	✓		✓			
Mr. Brown			✓			
Mr. Newton						✓
Dr. Racite		✓	✓			

CERTIFICATION OF AVAILABILITY OF FUNDS FOR CONTRACT

ADDITION TO RESOLUTION NO. 2024-62

I, Stephen P. Testa, Financial Consultant and Certifying Finance Officer of the Carneys Point Township Sewerage Authority, do hereby certify pursuant to the rules of the Local Finance Board that there are available adequate funds for the proposed contract between the Carneys Point Township Sewerage Authority and Perna Finnigan, Inc. for the Delaware Avenue Pump Station PGSA Interconnection Project. Money necessary to fund said contract has been projected in the amount \$937,372.70. Money necessary to fund said contract has been provided for and shall be charged to Capital Account 07-65-400-000-039 PGSA Headworks Improvements/Redirection of Flow. These funds will not be certified as being for more than one (1) pending contract.

DATE: October 15, 2024



Stephen P. Testa, Financial Consultant
Certifying Finance Officer