

**RESOLUTION OF THE TOWNSHIP COUNCIL REJECTING BIDS**

**WHEREAS**, the Township of Livingston (“Township”) has a need for the primary digester upgrades at the Water Pollution Control Facility that cannot otherwise be performed by its regular employees; and

**WHEREAS**, on October 26, 2017, the Township of Livingston issued Bid No. 025-2017, to solicit bids from contractors experienced in digester upgrades; and

**WHEREAS**, the bid was advertised on the Township of Livingston website and West Essex Tribune on October 26, 2017 and as a result twenty-three (23) bid packages were requested; and

**WHEREAS**, on November 26, 2017, five (5) bids were received by the bid deadline and publicly read; and

**WHEREAS**, from the bids received the apparent low bidder was identified as APS Contracting, Inc. with a bid of \$662,000.00; and

**WHEREAS**, on December 5, 2017, APS Contracting, Inc. submitted a request in writing to withdraw their bid due to an error in compiling the total bid price; and

**WHEREAS**, the next apparent low bidder was identified as Rapid Pump & Meter Service Company, Inc. with a bid of \$868,800.00; and

**WHEREAS**, on December 5, 2017, Rapid Pump & Meter Service Company, Inc. submitted a request in writing to withdraw their bid due to an omission in the final bid computation; and

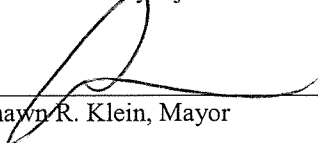
**WHEREAS**, the requests for bid withdrawals have been reviewed by the Purchasing Manager and they meet the requirements of N.J.S.A 40A:11-23.3 et seq.; and


**WHEREAS**, in accordance with Section VI.D., “Award of Bid”, in the bid documents, the Township of Livingston desires to exercise its right to reject the bids for the primary digester upgrades due to the fact that the apparent low bid substantially exceeds the appropriation for these services (N.J.S.A. 40A:11-13.2 (b) ); and

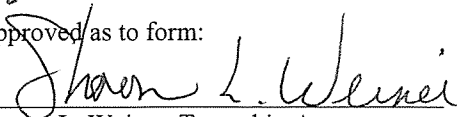
**WHEREAS**, the Acting Township Manager recommends rejecting the bids and reissuing the bid as soon as practicable.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Livingston, in the County of Essex, State of New Jersey, that it accepts the bid withdrawals of APS Contracting, Inc. and Rapid Pump & Meter Service Company, Inc.; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Livingston in the County of Essex, State of New Jersey, that the bids received in connection with the issuance of Bid No. 025-2017 are hereby rejected.

  
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Shawn R. Klein, Mayor

  
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Glenn R. Turteltaub, Township Clerk

Approved as to form:  
  
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Sharon L. Weiner, Township Attorney

Adopted: December 18, 2017