

**RESOLUTION 2012-037
RESOLUTION AWARDING CONTRACT**

WHEREAS, The Bordentown Sewerage Authority has duly advertised according to law for bids on the contract for the BLACK'S CREEK WASTEWATER TREATMENT PLANT ENERGY AUDIT IMPROVEMENTS; and

WHEREAS, bids were received, opened and announced by the Authority at its offices on January 12, 2012; and

WHEREAS, Eagle Construction Services, Inc. submitted the low bid on the aforesaid contract with a bid of \$1,798,514.00; and

WHEREAS, the Consulting Engineers to the Authority have recommended the award of this contract to the low bidder; and

WHEREAS, the award of this contract has been approved by the New Jersey Department of Environmental Protection; and

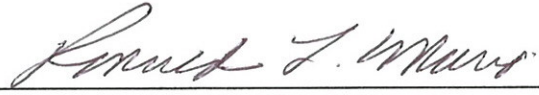
WHEREAS, a commitment for financing in the amount of the contract has been approved and provided by the New Jersey Environmental Infrastructure Trust; and

WHEREAS, a certificate of availability of funds has been provided by the designated certifying finance officer and is attached hereto.

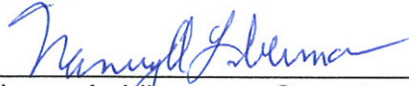
NOW, THEREFORE, BE IT RESOLVED this 16th day of April, 2012, that the contract for the BLACK'S CREEK WASTEWATER TREATMENT PLANT ENERGY AUDIT IMPROVEMENTS, be and the same is hereby awarded to Eagle Construction Services, Inc. for the bid price of \$1,798,514.00.

BE IT FURTHER RESOLVED that the Chairman and Secretary be and the same are hereby authorized to execute the aforesaid Contract on behalf of the Authority.

THE BORDENTOWN SEWERAGE AUTHORITY

By: 
Ronald L. Marino, Chairman

Attest:


Nancy A. Liberman, Secretary

I have reviewed this resolution and the certificate of availability of funds and am satisfied that an appropriate certificate of availability has been provided.



Edward A. Kondracki, Esquire, General Counsel

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Richard D. Eustace, Executive Director and Certifying Finance Officer of The Bordentown Sewerage Authority, do hereby certify, pursuant to the rules of the Department of Community Affairs, Division of Local Government Services (N.J.A.C. 5:34-5.1 et seq.), that there are available adequate funds for the following proposed contract:

CONTRACT: Black's Creek Wastewater Treatment Plant Energy Audit Improvements

CONTRACT NUMBER: Engineer Contract No. 5

CONTRACTOR: Eagle Construction Services, Inc.

CONTRACT AMOUNT: \$1,798,514.00

BUDGETARY LINE ITEM: 02-004-7649

I certify that the same funds have not been certified as available for more than one pending contract.

4/16/12

Date

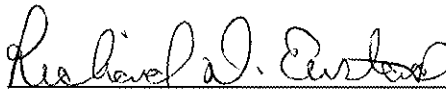


Richard D. Eustace
Richard D. Eustace
Certifying Finance Officer

Special situations (check all that apply):

- A.) The Authority is operating under a temporary budget and:
- 1. the full cost of the contract is certified against the temporary budget; or
 - 2. only the pro rata amount of the contract is charged against the temporary budget and the contract contains a clause making its continuation past the date subject to a further appropriation of sufficient funds.
- B.) This contract is an open-ended contract for goods at a unit price up to a maximum amount and:
- 1. the full maximum amount permitted by the contract is being certified; or
 - 2. the amount of the purchase shall be certified at the time that such goods are ordered by attaching the certificate of availability to the file copy of the purchase order.
- C.) This 12-month contract does not coincide with the fiscal year and:
- 1. the full cost of the contract is hereby certified against the budget of the year in which the contract is awarded; or
 - 2. the amounts for which liability is to be incurred is hereby certified against the two respective budgets at this time.
- D.) This is a multi-year contract and:
- 1. this contract is for construction and related services and the full amount of the contract is hereby certified to the current budget; or
 - 2. this is not a construction contract, and the availability of funds will be certified to the respective budgets at the time that the goods or services are ordered.

4/16/12
Date


Richard D. Eustace
Certifying Finance Officer