



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 25-96

RESOLUTION AUTHORIZING THE AWARD OF THE DR. MARTIN LUTHER KING, JR. BOULEVARD WATER MAIN REPLACEMENT TO FRED M. SCHIAVONE CONSTRUCTION, INC. FOR AMOUNTS NOT TO EXCEED OF TWO MILLION, THREE HUNDRED SEVENTY-THREE THOUSAND, EIGHT HUNDRED AND THIRTY EIGHT DOLLARS (\$2,373,838.00)

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority advertised for bid proposals and said proposals were received and opened on April 23, 2025, at 11:00 AM; and

WHEREAS, the use of competitive contracting was used as describe in the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-4.1 to 4.5) and the notice of the availability of Invitation to Bid was also published on the ACMUA website and the *Press* newspaper; and

WHEREAS, five (5) bids were received and reviewed by the Purchasing Office, Remington and Vernick Engineers and the Deputy Executive Director, Operations; and

WHEREAS, Fred M. Schiavone Construction (P.O. Box 416, Malaga, NJ 08328) was deemed the lowest responsive bidder according to N.J.S.A. 40A:11-1 et seq., and Remington and Vernick Engineers and the Deputy Executive Director, Operations are recommending the award of the contract accordingly; and

BASE BID	ADD ALTERNATE BID NO. 1	BASE BID PLUS ADD ALTERNATE BID NO. 1 TOTAL
\$2,145,735.00	\$228,103.00	\$2,373,838.00

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the ACMUA that the bid proposal received from Fred M. Schiavone Construction for the Dr. Martin Luther King, Jr, Boulevard Water Main Replacement, not to exceed the aforementioned amounts; and

BE IT FURTHER RESOLVED, that authority be, and it is hereby given to the Board Chairman to execute and the Vice Chairman to attest a contract to be entered into between the Atlantic City Municipal Utilities Authority and Fred M. Schiavone Construction as aforesaid in strict accordance with the specifications; and

BE IT FURTHER RESOLVED, that the authorization is dependent on a certification of funds from the Finance Director from the account 04-20-340-815-417 R&R D&M: Misc Line Replacement, in the amount not to exceed two million, three hundred seventy-three thousand, eight hundred and thirty eight dollars, and zero cents (\$2,373,838.00); and



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BE IT FURTHER RESOLVED, that a Resolution copy and a contract copy, including any attachments, shall be filed in the Purchasing Office, and posted on the ACMUA website: www.acmua.org.

Upon motion, this Resolution was APPROVED as read.



WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body
Member:

	Aye	Recording Vote		
		Nay	Abstain	Absent
Gary L. Hill	[X]	[]	[]	[]
Mohammed Dedar	[X]	[]	[]	[]
Glenn Banfield	[]	[]	[]	[X]
Nynell Langford	[X]	[]	[]	[]
John Eccles, Jr.	[X]	[]	[]	[]
Stephanie Davies	[X]	[]	[]	[]
Sayed Kausar	[]	[]	[]	[]



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 25-97

RESOLUTION AUTHORIZING THE REJECTION OF THE SOLE BID RECEIVED FOR THE BOARDWALK VALVE INVESTIGATION-PHASE 1 AND AUTHORIZATION TO NEGOTIATE

BY ALL MEMBERS OF THE BOARD:

WHEREAS, the Atlantic City Municipal Utilities Authority advertised for re-bid proposals and the sole proposal was received and opened on April 30, 2025 at 11:00AM; and

WHEREAS, the bids received on April 2, 2025 were rejected according to N.J.S.A. 40A:11-13.2(a) due to the bid exceeding the funding allocated and budgeted for this project, according to Resolution No. 25-87, at the regular April Board of Directors' meeting; and

WHEREAS, the use of competitive contracting was used as describe in the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-4.1 to 4.5) and the notice of the availability of Invitation to Bid was also published on the ACMUA website and the *Press* newspaper for the re-bid; and

WHEREAS, the sole bid was received and reviewed by the Purchasing Consultant, Remington & Vernick Engineers and the Deputy Executive Director, Operations, from Arthur R. Henry, Inc, (3031 Ocean Height Ave, Egg Harbor Twp., NJ 08234) for the amount of two hundred seventeen thousand, four hundred dollars and zero cents (\$217,400.00); and

WHEREAS, it is the recommendation of Remington Vernick Engineering, the Deputy Executive Director, Operations and the Purchasing Consultant that the sole bid be rejected in accordance with N.J.S.A. 40A:11-13.2(a) due to the bid exceeding the funding allocated and budgeted for this project; and

WHEREAS, the project has been publicly opened according to the fair and open process on April 2, 2025 and on April 30, 2025 and if rejected for this second occasion due to unreasonable pricing that exceeds the allocated funds, it is requested by the Deputy Executive Director, Operations, Remington & Vernick Engineers and the Purchasing Consultant that the project pricing be negotiated in accordance to N.J.S.A. 40A:11-5(3)(b) of the Local Public Contracts Law; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the ACMUA that the sole bid received on April 30, 2025, from Arthur R. Henry, Inc for the Boardwalk Valve Investigation-Phase 1 re-bid be hereby rejected according to N.J.S.A. 40A:11-13.2(a); and

BE IT FURTHER RESOLVED, that authorization is given to negotiate the cost of the project in accordance to N.J.S.A. 40A:11-5(3)(b); and



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FOR THE BOARDWALK VALVE INVESTIGATION-PHASE 1 AND
AUTHORIZATION TO NEGOTIATE**

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BE IT FURTHER RESOLVED, that a Resolution copy, including any attachments, shall be filed in the Purchasing Office.

Upon motion, this Resolution was APPROVED as read.

A handwritten signature in blue ink, appearing to read "Wastella E. Johnson", is written over a horizontal line.

WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body
Member:

	Aye	Recording Vote		
		Nay	Abstain	Absent
Gary L. Hill	[X]	[]	[]	[]
Mohammed Dedar	[X]	[]	[]	[]
Glenn Banfield	[]	[]	[]	[X]
Nynell Langford	[X]	[]	[]	[]
John Eccles, Jr.	[X]	[]	[]	[]
Stephanie Davies	[X]	[]	[]	[]
Sayed Kausar	[X]	[]	[]	[]



Atlantic City Municipal Utilities Authority

RESOLUTION

No: 25-98
APPROVING TO ENTER INTO CLOSED SESSION

BY ALL MEMBERS OF THE BOARD:

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting, and

WHEREAS, the Board of the Atlantic City Municipal Utilities Authority "ACMUA" has deemed it necessary to go into Closed Session to discuss certain matters which are exempt from the Public; and

WHEREAS, the regular meeting of this Board will reconvene at the conclusion of closed session.

NOW THEREFORE, BE IT RESOLVED that the Board of DIRECTORS of the ACMUA, in the City of Atlantic City, County of Atlantic, and State of New Jersey will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

- ☐ Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion of public (Provision _____);
- ☐ Any matter in which the release of information would impair a right to receive funds from the federal government;
- ☐ Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;
- ☐ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees for representatives of employees of the public body (Specify contract: negotiations with bargaining units);
- ☐ Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;
- ☐ Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;
- ☐ Any investigations of violations or possible violations of the law;
- ☐ Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party.
- ☐ Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer (If contract negotiation the nature of the contract and interested party) (Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Authority's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact);
- ☐ Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected in writing that such matter or matter be discussed at public meeting; Subject to the balancing of the public's interest and the employee's privacy right under South Jersey Publishing, 124 N.J. 478, the employee(s) and nature of discussion is _____;
- ☐ Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party of the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED that the DIRECTORS hereby declare that its discussion of the aforementioned subject(s) may be made public at a time when the Solicitor advises the Board that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the ACMUA or any other entity with respect to said discussion.



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BE IT FURTHER RESOLVED that the Board, for the aforementioned reasons, hereby declares that the public is excluded from the portion or the meeting during which the above discussion shall take place and here by directs the ACMUA to take the appropriate action to effectuate the terms of this resolution.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of the Atlantic City Municipal Utilities Authority (ACMUA) will go into Closed Session and will re-convene after closing Upon Motion, This Resolution was APPROVED as Read.

Upon Motion, This Resolution was APPROVED as Read.

A handwritten signature in blue ink, appearing to read "W. E. Johnson", is written over a horizontal line.

WASTELLA E. JOHNSON, BOARD SECRETARY

Governing Body
Member:

	Aye	Recording Vote		
		Nay	Abstain	Absent
Gary L. Hill	[X]	[]	[]	[]
Mohammed Dedar	[X]	[]	[]	[]
Glenn Banfield	[]	[]	[]	[X]
Nynell Langford	[X]	[]	[]	[]
John Eccles, Jr.	[X]	[]	[]	[]
Stephanie Davies	[X]	[]	[]	[]
Sayed Kausar	[]	[]	[]	[]