

RESOLUTION

OF THE

UNION COUNTY UTILITIES AUTHORITY

Resolution No.: 51-2026 |

Date: September 16, 2026

Approved as to form:

Bianka Vargas, Clerk

Approved as to sufficiency of funds:

John Cuiffa Acting Comptroller

[] YES [] NO [X] NONE REQUIRED

AUTHORIZING NEGOTIATIONS WITH POTENTIAL VENDORS TO SECURE NECESSARY GOODS AND SERVICES IN CONNECTION WITH THE AUTHORITY'S RIVERFRONT INVASIVE CONTROL PROJECT PURSUANT TO N.J.S.A. 40A:11-5(3).

WHEREAS, the Union County Utilities Authority (the "Authority") owns certain property adjacent to the Union County Resource Recovery Facility, a portion of which has been dedicated for use as park land, currently known as Riverfront Park within the City of Rahway; and

WHEREAS, the Authority previously determined that it is necessary and appropriate to institute a program aimed at removing and controlling invasive plant species within Riverfront Park while providing for the regrowth and planting of native species (the "Program"); and

WHEREAS, in connection with the Program, and pursuant to a duly advertised Notice and Invitation to Bidders, the Authority received and opened bids on May 12, 2026 for the clearing and removal of invasive trees and for the phased planting of native tree species (the "Project"); and

WHEREAS, the Authority received and opened one bid for the Project, and because the the lowest, and only, bid received substantially exceeded the cost estimates for the goods and services comprising the Project, the Authority's Board of Commissioners adopted a resolution on May 20, 2026 rejecting all bids pursuant to N.J.S.A. 40A:11-13.2(a); and

WHEREAS, following a review and restructuring of the procurement documents in an effort to enhance participation in the solicitation of bids, the Authority re-issued the solicitation for the Project via a duly advertised Notice and Invitation to Bidders requiring all bids to be received and opened on August 18, 2026, and no bids were received on or before the bid opening date in connection with this second solicitation of bids for the Project; and

WHEREAS, in consultation with the Authority's consulting engineer and general counsel, due to the importance of the Project, the necessity to commence portions thereof in a timely fashion to avoid seasonal delays, and the fact that the Authority solicited bids on two occasions the results of which were that all bids were rejected in the first instance and no bids were received in the second instance, the Board believes it to be in the best interests of the Authority to authorize its executive staff and professionals as permitted by, and in strict accordance with, N.J.S.A. 40A:11-5(3), to engage in

direct negotiations with a vendor or vendors in lieu of further public bidding to timely secure a contract for the goods and services comprising the Project.

NOW, THEREFORE, BE IT RESOLVED, by the Union County Utilities Authority as follows:

1. The aforesaid recitals are hereby incorporated by reference, as if set forth at length herein.
2. The Authority hereby authorizes the Executive Director to coordinate with the Authority's consulting engineer and general counsel to engage in direct negotiations with potential vendors in lieu of further public bidding to secure a contract for the goods and services comprising the Project in strict accordance with the requirements of N.J.S.A. 40A:11-5(3).
3. A copy of this Resolution shall be made available for public inspection at the Authority's administrative offices located at 1499 Routes 1 & 9 North, Rahway, New Jersey.
4. This Resolution shall take effect immediately.

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<i>Eastman</i>	✓		✓				
<i>Figueiredo</i>	✓		✓				
<i>Huff</i>	✓		✓				
<i>Jackus</i>	✓		✓				
<i>Kahn</i>	✓		✓				✓
<i>McManus</i>	✓		✓				
<i>Rachlin</i>	✓		✓				
<i>Scutari</i>	✓		✓			✓	
<i>Szpond</i>	✓		✓				
<i>Alma, Alternate No. 1</i>	✓						
<i>Scott-Bey, Alternate No. 2</i>	✓						