KEARNY MUNICIPAL UTILITIES AUTHORITY
HUDSON COUNTY, NEW JERSEY
BERGEN AVENUE PUMP
STATION UPGRADES

CONTRACT NO. 2026-01

NOTICE TO BIDDERS

NOTICE is hereby given that sealed bids will be received by the Kearny Municipal Utilities Authority (hereinafter called the "Owner") for:

BERGEN AVENUE PUMP
STATION UPGRADES
STATE LOAN PROJECT NO. S340259-16
CONTRACT NO. 2026-01

Sealed bids for the above named Contract, which comprises of the upgrades to an existing pump station and associated electrical upgrades within the Town of Kearny, Hudson County, New Jersey ("Owner"), will be received at the Executive Offices of the Kearny Municipal Utilities Authority, 39 Central Avenue, Kearny, New Jersey 07032 on August 6, 2026 at 11:00 a.m. prevailing time, at which time they will be publicly unsealed and the contents publicly announced.

The work includes the furnishing of all labor, materials and equipment necessary to complete the work as shown on the Drawings and as described in the Specifications. The work consists of the replacement of existing pumps at a wastewater pump station along with associated electrical upgrades. The work is located at the Bergen Avenue Pump Station along Bergen Avenue within the Town of Kearny. The work shall be completed within 450 calendar days of the Contractor's receipt of written Notice to Proceed.

No bid will be received unless in writing on the forms furnished, and unless accompanied by bid security in the form of a bid bond, cashier's check, or a certified check made payable to the Kearny Municipal Utilities Authority in an amount equal to 10% of the total bid, but not exceeding $20,000.

The bid shall be accompanied by a Certificate of Surety on the form included in the Contract Documents, from a surety company licensed to do business in the State of New Jersey, which shall represent that the surety company will provide the Contractor with the required bonds in the sums required in the Contract Documents and in a form satisfactory to the Owner's Attorney and in compliance with the requirements of law.

Bidders must use the prepared bid form which is contained in the Contract Documents. Each individual proposal must be separately enclosed in a sealed envelope addressed to the Executive Offices of the Kearny Municipal Utilities Authority, 39 Central Avenue, Kearny, New Jersey 07032 marked on the outside with the number of the contract(s) and name of the project being bid on.

No bids will be received after the time and date specified, and no bids will be received by mail. Bids shall be received by courier service (date and time recorded) or shall be hand delivered. The Owner shall award the Contract or reject all bids within 60 days of bid opening, except that the bids of any bidders who consent thereto may, at the request of the Owner, be held for consideration for such longer period as may be agreed.

A pre-bid conference will be held at the site with site walkthrough at 10:00 am local time on July 22, 2026. Attendance is highly encouraged but is not mandatory.

The Owner will tabulate the bids and any award will be made to the lowest responsible bidder in accordance with N.J.S.A. 40A:11-4. The Owner reserves the right to reject all bids pursuant to N.J.S.A. 40A:11-13.2.

All bid security except the security of the three apparent lowest responsible bidders shall be returned, unless otherwise requested by the bidder, within ten (10) days after the opening of the bids, Sundays and holidays excepted, and the bids of the bidders whose bid security is returned shall be considered withdrawn.

Each bidder must submit with his bid a signed certificate stating that he owns, leases or controls all the necessary equipment required to accomplish the work shown and described in the Contract Documents. Should the bidder not be the actual owner or leasee of such equipment, his certificate shall state the source from which the equipment will be obtained and, in addition, shall be accompanied by a signed certificate from the owner or person in control of the equipment definitely granting to the bidder the control of the equipment required during such time as may be necessary for the completion of that portion of the Contract for which it is necessary. The bidder shall comply with the documentation requirements set forth in the Article of the Information for Bidders, entitled, "Bidder Submissions".

The successful bidder will be required to submit bonds and proof of insurance on or before execution of their respective Contracts as explained in the Contract Documents.

Bidders are required to comply with all relevant Federal and State Statutes, Rules and Regulations including but not limited to the applicable provisions of Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-2000D-4A), the discrimination and affirmative action provisions of N.J.S.A. 10:2-1 through 10:2-4, the New Jersey Law against Discrimination, N.J.S.A. 10:5-1, et seq., the rules and regulations promulgated pursuant thereto, the

State requirement for bidders to supply statements of ownership (N.J.S.A. 52:25-24.2) and the State requirement for submission of the names and addresses of certain subcontractors (N.J.S.A. 40A:11-16).

The Contract Documents may be reviewed online at no cost at www.bidset.com/mott or at the Kearny Municipal Utilities Authority, 39 Central Avenue, Kearny, New Jersey 07032, between the hours of 9:00 a.m. and 3:00 p.m.

The Contract Documents may be obtained by any prospective bidder upon payment of a fee for each set of full-sized drawings with specifications by calling 1-877-424-3738 or by online request. Shipping charges are additional and variable depending upon the pick-up or delivery option selected by the purchaser. Bid documents cannot be obtained at the Kearny Municipal Utilities Authority or at Mott MacDonald's office. The printing cost is not refundable.

Pursuant to N.J.S.A. 10:5-31 et seq., bidders are required to comply with the requirements of N.J.A.C. 17:27.

Each Bidder must submit with his bid an "Ownership Disclosure Statement" and is requested to submit with his bid the "Non-Collusion Affidavit" on the forms included in the Contract Documents.

Bidders and their subcontractors of any tier must comply with all applicable provisions of the Public Works Contractor Registration Act (N.J.S.A. 34:11-56.48) and the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25). P.L. 2021, c. 301 requires that if a contract is subject to the Prevailing Wage Act and the contractor submitting the lowest bid for a contract is 10 percent (or more) lower than the next lowest bid, the bidder must certify to the public body that the prevailing wage rates required by the Act shall be paid. If the bidder does not provide the certification prior to the award of the contract, the public body shall award the contract to the next lowest responsible and responsive bidder. Further, P.L. 2021, c. 301 also amended N.J.S.A. 34:11-56.27 to require that any contract for public

work expressly stipulate that workers performing work under the contract shall not be paid less than the required prevailing wage rate. Contractors and their sureties shall be liable to the public body, any lessee to whom the public body is leasing a property or premises or to any lessor from whom the public body is leasing or will be leasing a property or premises, for any excess costs occasioned by the termination of their right to proceed with the work, or such part of the work as to which there has been a failure to pay required wages.

Pursuant to N.J.S.A. 52:32-44, all business organizations that conduct business with a New Jersey government agency are required to be registered with the State of New Jersey. Bidders and their subcontractors must submit proof that they are registered with the New Jersey Department of Treasury, Division of Revenue by submitting a copy of their Business Registration Certificate prior to Contract award.

The project or contract is funded in part by New Jersey wastewater treatment financing programs and the successful bidder must comply with all the provisions of N.J.A.C. 7:22-9.1 et seq. for the participation of small business enterprises owned and controlled by socially and economically disadvantaged individuals.

N.J.A.C. 7:22-3.17(a)24, 4.17(a)24, 6.17(a)24 and 7:22A-2.4(a) provide that a goal of not less than 10 percent be established for the award of contracts to small business concerns owned and controlled by one or more socially and economically disadvantaged individuals. The goal of 10 percent applies to the total amount of all contracts for building, materials and equipment, or services (including planning, design and building related activities) for a construction project. The project sponsor has identified that the SED utilization goal for this project is 10%.

N.J.A.C. 7:22-9.6 (a) Modified for operational purposes:
All project sponsors, at least 10 days prior to public advertisement for bids, shall notify the NJDEP Office of Equal Opportunity and Public Contract Assistance via H2Loans, of the availability of opportunities for SEDs to provide services, to bid on unrestricted contracts or subcontracts, or to provide any other necessary purchase or procurement.

N.J.A.C. 7:22-9.7 (b) The advertisement for bids shall indicate that:
Awards will be made only to socially and economically disadvantaged business concerns that are certified by the New Jersey Commerce, Economic Growth and Tourism Commission, the New Jersey Department of Transportation, the Port Authority of New York and New Jersey, New Jersey Transit or other agencies deemed appropriate by the Office as eligible minority businesses or female businesses.

The invitation to bid is on an unrestricted basis whereby the successful bidder must fulfill the SED utilization requirements.

Instruction: The agencies specified in N.J.A.C. 7:22-9.13(a)8 will have a list of eligible SED firms and shall, upon request, provide them to the project sponsor. The project sponsor shall, during the advertisement phase, provide copies of the list to all contractors on unrestricted contracts.

It is the purpose of this Notice to Bidders to summarize some of the more important provisions of the Contract Documents. Prospective bidders are cautioned not to rely solely on this summary, but to read the Contract Documents in their entirety.

By Order of the Kearny Municipal Utilities Authority

JoVonn Quinones, Executive Director