

! THE ALAIMO GROUP !

200 High Street, Mt. Holly, NJ 08060 Tel: 609-267-8310 Fax: 609-845-0300
Willowbrook Center, 201 Willowbrook Blvd., Wayne, NJ 07470 Tel: 973-523-6200 Fax: 973-523-1765

NOTICE TO BIDDERS

PUBLIC NOTICE IS HEREBY GIVEN that sealed bids will be received by the **Washington Township Municipal Utilities Authority (WTMUA)**, for the Bryant Road Tank Painting in Washington Township, Gloucester County, New Jersey.

In general, this project consists of the removal and replacement of the existing tank painting of the 0.4 million gallon Bryant Road water storage tank.

This project is funded in part by the New Jersey Environmental Infrastructure Trust Program 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 (SED).

Bid forms, contracts and specifications are on file at the office of Richard A. Alaimo Associates, 200 High Street, Mount Holly, New Jersey, 08060.

Said bids will be received, opened and read aloud in public at the Administrative Office of the Washington Township Municipal Utilities Authority, 216 Fries Mill Road, Turnersville, Gloucester County, New Jersey, 08012, on October 15, 2025, 10:00 a.m. prevailing time.

Copies of the bid forms, contracts and specifications may be obtained from said Richard A. Alaimo Associates, by prospective bidders upon request, upon payment of the sum of \$50.00 for each set.

PAYMENT MUST BE RECEIVED PRIOR TO OBTAINING SAID SPECIFICATIONS, EITHER BY MAIL OR IN PERSON.

NO BIDS ARE TO BE DROPPED OFF AT THE ENGINEER'S OFFICE.

The WTMUA reserves the right to consider the bids for sixty (60) days after the receipt thereof, and further reserves the right to reject any or all bids, either in whole or in part and also to waive any informality in any and make such awards or take action as may be in the best interest of the WTMUA, in accordance with applicable law.

Bids must be on the bid form prepared by Remington and Vernick Engineers, in the manner designated therein and required by the specifications, must be enclosed in sealed envelopes bearing the name and address of the bidder on the outside and also bearing on the outside reference to the particular work bid upon. Said bids shall be addressed to **Elizabeth Rogale, Executive Director, Washington Township Municipal Utilities Authority, 216 Fries Mill Road, Turnersville, New Jersey, 08012**

Each bid shall be accompanied by a certified check, cashier's check or bid bond duly executed by the bidder as principal and having as surety thereon a surety company approved by the WTMUA in an

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amount not less than ten percent (10%) but in no case in excess of \$20,000.00 of the amount bid. Any such bid bond shall be without endorsement or conditions. Bid shall also be accompanied by a certificate letter from a surety company stating that it will provide the bidder with the completion bond.

N.J.S.A. 40A:11-21: A person bidding on a contract for the erection, alteration or repair of a public building, structure, facility or other improvement to real property, the total price of which exceeds \$100,000, shall furnish a guarantee as provided for herein. A contracting unit may provide that a person bidding on any other contract, advertised in accordance with law, shall furnish a guarantee as provided for herein. The guarantee shall be payable to the contracting unit so that if the contract is awarded to the bidder, the bidder will enter into a contract therefor and will furnish any performance bond or other security required as a guarantee or indemnification. The guarantee shall be in the amount of ten percent (10%) of the bid, but not in excess of \$20,000.00, except as otherwise provided herein, and may be given, at the option of the bidder, by certified check, cashier's check or bid bond. In the event that any law or regulation of the United States imposes any condition upon the awarding of a monetary grant to any contracting unit, which condition requires the depositing of a guarantee in an amount other than ten percent (10%) of the bid or in excess of \$20,000.00, the provisions of this section shall not apply and the requirements of the law or regulation of the United States shall govern.

N.J.A.C. 7:22-3.17(g): All applicable surety bonds required in connection with the advertisement and award of building contracts or subagreements must be written by a surety company listed on the Federal Treasury List (Department Circular 570 – Surety Companies Acceptable on Federal Bond(s)), incorporated herein by reference. Copies of this document may be obtained from the Department.

N.J.S.A. 40A:11-23(b): The advertisement shall designate the manner of submitting and the method of receiving the bids and the time and place at which the bids will be received. If the published specifications provide for receipt of bids by mail, those bids which are mailed to the contracting unit shall be sealed and shall only be opened for examination at such time and place as all bids received are unsealed and announced. At such time and place the contracting agent of the contracting unit shall publicly receive the bids, and thereupon immediately proceed to unseal them and publicly announce the contents, which announcement shall be made in the presence of any parties bidding or their agents, who are then and there present, and shall also make proper record of the prices and terms, upon the minutes of the governing body, if the award is to be made by the governing body of the contracting unit, or in a book kept for that purpose, if the award is to be made by other than the governing body, and in such latter case it shall be reported to the governing body of the contracting unit for its action thereon, when such action thereon is required. No bids shall be received after the time designated in the advertisement.

The award of the contract shall be made subject to the necessary moneys to do the work being provided by the WTMUA in a lawful manner. The contract to be executed by the successful bidder will provide that it shall not become effective until the necessary moneys to do the work have been provided by the WTMUA in a lawful manner. The award shall further be subjected to the securing of necessary State, Federal or Local permits governing the work.

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Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27 (Affirmative Action), N.J.S.A. 34:11-56.25 et seq. (New Jersey Prevailing Wage Act), and Americans with Disabilities Act of 1990 (42 U.S.C. S12101, et seq.).

The contractor is further notified that he must comply with N.J.S.A. 52:25-24.2 and submit a Disclosure Statement listing stockholders with his bid.

The contractor is further notified that he must comply with N.J.S.A. 34:11-56.48 et seq. Public Works Contractor Registration Act and he and any subcontractors must be registered in accordance with the act.

The contractor is also further notified that he must comply with N.J.S.A. 52:32-44 and submit proof of business registration and submit proof of business registration for any named subcontractors in accordance with the act.

N.J.A.C. 7:22-3.17(d): Neither the State of New Jersey nor the Trust will be a party to any contracts and subcontracts awarded pursuant to this subchapter. All such contracts and subcontracts shall include the following statement:

“This contract or subcontract is expected to be funded in part with funds from the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. Neither the State of New Jersey, the New Jersey Environmental Infrastructure Trust nor any of their departments, agencies or employees is, or will be, a party to this contract or subcontract or any lower tier contract or subcontract. This contract or subcontract is subject to the provisions of N.J.A.C. 7:22-3, 4, 5, 9 and 10.”

This contract or subcontract is expected to be funded by in part with funds from the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. Neither the State of New Jersey, the New Jersey Environmental Infrastructure Trust nor any of their departments, agencies, or employees is, or will be a party to this contract or subcontract or any lower tier contractor or subcontract. This contract is subject to the provisions of N.J.A.C. 7:22-3, 4, 5, 9 and 10. In accordance with the provisions of N.J.S.A. 58:11B-26, N.J.A.C. 7:22-3.17(a)24 and 4,17(a)24, which requires that no less than ten percent (10%) of the total amount of all contracts related to the project shall be awarded to SEDs, the contractor (subcontractor) shall comply with all of the provisions of N.J.A.C. 7:22-9. In accordance with the provisions of N.J.S.A. 58:11B-26, N.J.A.C. 7:22-3.17(a)24 and 4.17(a)24, the contractor (subcontractor) shall comply with all of the provisions of N.J.A.C. 7:22-9. Pursuant to N.J.A.C. 10.5-33, bidders are required to comply with the requirements of P.L. 1975, c.127. The adherence to Federal requirements relative to the utilization of Disadvantaged Business Enterprises (DBE)/Socially and Economically Disadvantaged (SED) Businesses Concerns is the responsibility of direct and indirect recipients of funding provided in whole or in part through the USEPA. The project sponsor is the indirect recipient of such funding. The NJDEP requires and facilitates applicability of the associated regulations contained within 40 CFR Part 33 and N.J.A.C. 7:22-9 to ensure nondiscrimination in the award of contracts and to help

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remove barriers to the participation of DBEs/SEDs in the award of contracts under EPA financial assistance agreements.

In order to implement the policies established in N.J.S.A. 58:11B-26, 40:11A-41 et seq., and 52:32-17 et seq., N.J.A.C. 7:22-9 subchapter applies to environmental infrastructure projects receiving financial assistance from the Department and the Trust pursuant to N.J.A.C. 7:22-3, 4 and 6 and 7:22A-6 and 7. Under the provisions of N.J.A.C. 7:22-3, 4 and 6 and 7:22A-6 and 7, the Department and the Trust require recipients of Trust and Fund loans and other assistance to establish such programs for socially and economically disadvantaged small business concerns, to designate a project compliance officer, and to submit the Department and Trust procurement plans for implementing the SED program.

Socially and economically disadvantaged (SED) small business concerns are small businesses owned and controlled by individuals meeting the criteria as noted in N.J.A.C. 7:22-9.2:

1. Which is at least fifty-one percent (51%) owned by one or more socially and economically disadvantaged individuals; or, in the case of a publicly owned business, at least fifty-one percent (51%) of the stock of which is owned by one or more socially and economically disadvantaged individuals; or, in the case of a joint venture, at least fifty-one percent (51%) of the beneficial ownership interests are legitimately held by a SED; and
2. Whose management and daily business operations are controlled by one or more socially and economically disadvantaged individuals; and
3. Which is a full participation subcontractor in that the SED is responsible for the execution of a distinct element of work and carries out the work responsibility by actually performing, managing and supervising the task involved. Any deviation from this definition will automatically classify the SED as a broker, middleman or passive conduit. These three functions are contrary to the spirit of the Trust Act and will not qualify a SED enterprise for State of New Jersey certification; and
4. Which has been certified pursuant to the New Jersey Uniform Certification Act (N.J.S.A. 52:27H-1 et seq.) or pursuant to the provisions of 49 CFR Part 23 by the New Jersey Commerce and Economic Growth Commission, the New Jersey Department of Transportation, the Port Authority of New York and New Jersey, the New Jersey Transit or other agencies deemed appropriate by the Office, as an eligible minority business or female business.

To ensure awareness, knowledge, and compliance relative to SED utilization, the recipient shall insert into the plan, and shall ensure that their contractor(s) include within their subcontract(s) the following language:

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“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 ten percent (10%) 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 ten percent (10%) 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 ten percent (10%).

The contractor must submit to the project sponsor and to the NJDEP Office of Equal Opportunity and Public Contract Assistance a contractor’s SED Utilization Plan within thirty (30) days of being awarded the contract. The contractor’s plan shall contain provisions to meet the specific SED utilization requirements imposed upon the contractor by the project sponsor as well as to meet the general SED utilization requirements for the project pursuant to N.J.A.C. 7:22-9.

N.J.A.C. 7:22-3.17(f): The recipient shall insert into the contracts, and shall ensure that their contractor(s) include within their subcontractor(s), the following statement: “In accordance with the provisions of N.J.S.A. 57:11B-26, N.J.A.C. 7:22-3.17(a) 24 and 4.17(a)24, the contractor (subcontractor) shall comply with all of the provisions of N.J.A.C. 7:22-9.”

This notice shall appear in the newspaper not less than ten (10) working days before the bid opening, and notice of revisions or addenda to advertisements or bid documents will be as outlined in N.J.S.A. 40A:11-23.

For all contracts the date fixed for receiving the bids shall not fall on Monday, or any other day directly following a State or Federal holiday as outlined in N.J.S.A. 40A:11-23A.

By Order of the Commissioners of
Washington Township Municipal Utilities Authority
Gloucester County, New Jersey

Dated: September 11, 2025