

Resolution No. 2026-066

**Resolution of the Morris County Municipal Utilities Authority Approving a Vendor Service Contract on a ‘Non-Fair and Open’ Basis Pursuant to the ‘Pay-to-Play’ Law for Mount Olive Transfer Station Trench Drain Repairs
(Persistent Construction Company)**

WHEREAS, the Morris County Municipal Utilities Authority (“MCMUA”) has a need to acquire a contractor to repair a portion of the broken trench drain at the MCMUA Mount Olive Transfer Station on a ‘non-fair and open’ contract pursuant to the provisions of the “New Jersey Local Unit Pay-To-Play” Law, P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, competitive quotations were solicited in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-6.1; and

WHEREAS, in response to the solicitation of competitive quotations for the Mount Olive Transfer Station Trench Drain Repairs, Persistent Construction Company, having a business address of 58 Industrial Ave. Fairview, NJ 07022 submitted proposal in the amount of \$24,605.00 for the work to be performed; and

WHEREAS, Persistent Construction Company quote was most advantageous to the MCMUA needs, price and other factors considered; and

WHEREAS, the contract to be awarded includes a requirement that the work shall be completed within 120 days from the date of full execution of the contract; and

WHEREAS, the contract to be awarded is further subject to the following:

1. The known or estimated cost of the goods or service to be provided will exceed \$17,500.00;
2. The required Business Entity Disclosure Certification form has been submitted and will be placed on file.
3. The required Political Contribution Disclosure form has been submitted and will be placed on file.
4. The contract will prohibit the vendor from making any reportable contributions through the term of the contract.
5. In lieu of a separate certification of funds, the maximum dollar value of this contract is as set forth in this resolution per N.J.A.C 5:30-5.4 (a) 3.
6. The submission of the Public Works Registration Certificate to be placed on file.

WHEREAS, the MCMUA Treasurer certifies that sufficient funds are available from Budget account number 01-1-900-000-128 for the work to be performed.

NOW THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority does hereby award and authorizes the Executive Director to execute the contract for the work in the proposal from Persistent Construction Company, dated June 9, 2023 as most advantageous, price and other factors considered in accordance with N.J.S.A. 40A:11-6.1 under a ‘non-fair and open’ basis:

Vendor Name:	Persistent Construction Company
Cost of Service:	\$24,605.00
Account Number:	01-1-900-000-128

BE IT FURTHER RESOLVED as follows:

1. The Executive Director is authorized and directed to execute a contract with Persistent Construction Company for the Mount Olive Transfer Station Trench Drain Repairs, based on the 2026 Proposal received by the Authority, available in the offices of the Authority, and incorporated by reference and made part hereof, for a term of one (1) year.
2. The Contract is awarded subject to the submission of all insurance certificates required by the Contract, in a form acceptable to the Risk Manager of Morris County, and all other documentation required by the Contract, and shall commence upon the execution of a written Contract by both parties.
3. The MCMUA's staff and consultants are hereby authorized and directed to take all other actions necessary or desirable to fully effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County
Municipal Utilities Authority at the Regular Meeting held on July 14, 2026.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Christopher Dour, Chair

ATTEST:

Marilyn Regner, Secretary