

RESOLUTION

WHEREAS, the Township of West Orange advertised for bids pursuant to the New Jersey Local Public Contracts Law (N.J.S.A. 40A: 11-1) for the project St. Mark's Walkway Improvement; and

WHEREAS, at the date, time and place advertised for the opening of said bids, the Township received four bids; and

WHEREAS, the Township Engineer reported that the apparent low bidder, S. Batata Construction of Parlin, NJ 08859 who submitted a bid of \$74,310.00 is not registered with the System for Award Management (SAM) a Federal Registration Program as required by the Bid Documents; and

WHEREAS, the Township Engineer states that the failure of S. Batata Construction to be registered with SAM makes their bid non-compliant and non-responsive; and

WHEREAS, the firm of Cifelli and Son of Nutley, NJ 07110 who submitted a bid of \$101,037.00 and who is registered with SAM and completed all other requirements of the bid documents is therefore the lowest responsive bidder; and

WHEREAS, the project is partially funded by a Community Development Block Grant of \$64,600.00 administered by the Essex County Division of Housing and Community Development; and

WHEREAS, the bid of Cifelli and Sons is over \$36,000.00 higher than the grant amount; and

WHEREAS, the Township Engineer recommends in addition to finding the bid of S. Batata Construction non-responsive that all the other bids due to the disparity between the grant amount and the bid amount be rejected and the project rebid; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED that the bid of S. Batata Construction of Parlin, NJ be rejected as non-responsive.

BE IT FURTHER RESOLVED that all other bids be rejected due to the disparity between the bids and the grant funding.

BE IT FURTHER RESOLVED that Certified Check and Bid Bonds of all bidders be returned.

BE IT FURTHER RESOLVED that the Township Engineer is authorized to rebid the project St. Mark's Walkway Improvement and the Township Engineer and Purchasing Agent are authorized to issue a Purchase Order to the design firm of Keller and Kirkpatrick of Morris Plains, NJ in the amount of \$400.00 for revisions and printing costs.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Michelle Casalino, Council President

Adopted : June 23, 2020

Certification of Funds: Acct No. 03 2227 22 2100 103-\$400.00

John O. Gross, Chief Financial Officer