

Township of West Milford

Passaic County, New Jersey

~ Resolution 2015 - 289~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO EASTERN CONCRETE MATERIALS INC. FOR THE PURCHASE OF ICE CONTROL AGGREGATES

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on August 28, 2015 for the purchase of Ice Control Aggregates as per the bid specifications; and

WHEREAS, the Township of West Milford received two (2) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the Public Works Department, and the Township Attorney; and

WHEREAS, the bid received from the apparent low bidder Stone Industries, Inc. in the amount of \$130,730.00 failed to comply with the provisions of N.J.S.A. 40A:11-23.5, Local Public Contract Law; and

WHEREAS, the Township Attorney has recommended that the bid received from the apparent low bidder, Stone Industries, Inc., be rejected because the Non-Collusion Affidavit was not properly notarized as required by law and the Local Public Contracts law deems this to be a fatal defect in the bid submission; and

WHEREAS, the bid received from the apparent second low bidder, Eastern Concrete Materials, Inc., in the amount of \$152,915.00 does comply with and meet all minimum bid requirements as outlined in the bid specifications and thus Eastern Concrete Materials is deemed to be the lowest, responsive, responsible bidder in accordance with N.J.S.A 40A:11-2(27); and

WHEREAS, the Township Treasurer has certified as to the availability of funds for this expenditure said funds to be encumbered from account number 01-201-26-294-348

WHEREAS, it is the recommendation of the Public Works Department to reject the bid from the apparent low bidder Stone Industries Inc. and award a contract to the apparent second low bidder Eastern Concrete Materials in the amount of \$152,915.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, the following:

1. The Township Council hereby awards a contract to Eastern Concrete Materials, Inc. for Ice Control Aggregates in an amount not to exceed \$152,915.00.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Eastern Concrete Materials, Inc. 475 Market Street, Suite 302, Elmwood Park, NJ 07407 in accordance with its bid for Ice Control Aggregates.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: September 16, 2015

Adopted this 16th day of September, 2015
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk