

RESOLUTION

Councilmember offered the following resolution and moved its adoption; seconded by Councilmember

WHEREAS, the Township Council of the Township of Ocean authorized receipt of bids for the 2009 Road Improvement Program on June 15, 2009; and

WHEREAS, the Township Clerk did duly advertise on June 22, 2009 to receive bids for said project; and

WHEREAS, in connection therewith the following bids were received by the Township of Ocean on July 8, 2009: Fernandez Construction, Inc., South River, NJ; Lucas Brothers, Inc., Morganville, NJ; Earle Asphalt Co., Farmingdale, NJ; Lucas Construction Group, Inc., Morganville, NJ; Defino Contracting, Co., Cliffwood Beach, NJ; R & B Builders, Inc., South River, NJ; Fiore Paving Co., Inc., Oceanport, NJ; and

WHEREAS, the following company picked up bid specifications but failed to submit said bid: P & A Construction, C.J. Hesse and A & A Curbing, Inc.; and

WHEREAS, it was determined that the lowest responsive bidder meeting specifications for the bid was Fernandez Construction, Inc., South River, NJ ; and

WHEREAS, the Township Manager and the Township Engineer have recommended that a contract be awarded to Fernandez Construction, South River, NJ as per their bid proposal for the 2009 Road Improvements at a cost not to exceed \$760,265.00; and

WHEREAS, the Director of Finance has certified to the Township Manager that there are adequate funds available for the purpose of award of this contract in the following accounts:

G-02-41-871-308	DOT Grant – Sunset Avenue Phase II	\$165,000.00
C-04-55-928-912	Ord. #2127 – Sunset Avenue Phase II	10,000.00
C-04-55-929-901	Ord. #2131 – Assessments	70,000.00
G-02-41-876-303	CDBG Grant	118,250.00
C-04-55-916-920	Ord. #1982	164,011.69
C-04-55-923-927	Ord. #2074	86,342.62
C-04-55-924-918	Ord. #2100	<u>146,660.69</u>
	TOTAL	\$760,265.00

WHEREAS, the award of said Resolution is contingent upon the final passage of Ordinance #2131 and the passage of the 20-day estoppel period related to said Ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ocean, County of Monmouth that it does hereby award a contract to Fernandez Construction, South River, NJ, as per their bid proposal for the 2009 Roadway Improvements as set forth in their bid submitted in the amount of \$760,265.00; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to return all bid bonds and/or certified checks received from unsuccessful bidders for this particular bid item; and

BE IT FURTHER RESOLVED that this award of contract is conditioned upon the delivery and execution thereof within ten (10) days from the date of the within resolution accompanied by such appropriate insurance certificate, Affirmative Action certificate and performance bonds as may be required by the specifications; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

1. Township Manager
2. Director of Finance
3. Township Engineer
4. Fernandez Construction

ROLL CALL: Garofalo, Hiers, Schepiga, Siciliano, Larkin

CERTIFICATION

*I hereby certify that this is a true copy of a resolution passed by the Township of Ocean Governing Body at their meeting held on **July 13, 2009***

Vincent Buttiglieri, RMC/CMC
Township Clerk