

**RESOLUTION NO. 2009 -370**

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING THE CONTRACT FOR THE RECONSTRUCTION OF CREEK VIEW ROAD, BRIDGE ROAD AND WOODMANSEE BOULEVARD PROJECT TO S. BROTHERS, INC.**

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") has solicited bids for the reconstruction of Creek View Road, Bridge Road and Woodmansee Boulevard project (the "Project"); and

WHEREAS, the bids have been solicited by the Township in conformance with the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, nine (9) bids were received by the Township for this Project and are listed and made a part hereof in the attached Bid Tabulation Summary; and

WHEREAS, the Township has bid this Project with alternate bids including addition of curbing to Creek View Road, Bridge Road, and Woodmansee Boulevard; and

WHEREAS, the lowest bid received for each portion of the Project, including all of the alternates, is from S. Brother, Inc., of Manalapan, New Jersey; and

WHEREAS, the Township has appropriated up to \$400,000.00 for this Project; and

WHEREAS, the bid submitted by S. Brothers, Inc., for Creek View Road, including the alternate curbing for Creek View Road, is \$256,418.00, and bid submitted by S. Brothers, Inc., for Bridge Road and the alternate curbing is \$124,894.00, for a total of \$381,312.00; and

WHEREAS, the Township finds that the award of the contract for these portions of the Project is in conformance with the Township's budgetary constraints, but the Township does not have adequate funds now to award any portion of the bid for the Woodmansee Boulevard reconstruction or the addition of curbing along Woodmansee Boulevard:

**NOW, THEREFORE, BE IT RESOLVED**, this 1<sup>st</sup> day of June, 2009 by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

1. The Township accepts the recommendations of its professional staff and awards the bid for this Project to S. Brothers, Inc., for and in consideration of \$381,312.00. The award of the Project will include the reconstruction of Creek View Road, installation of curbing on Creek View Road, reconstruction of Bridge Road, and installation of curbing on Bridge Road.

2. The Township authorizes and directs the Mayor, Township Clerk, and Township Administrator to execute any and all necessary documents in order to implement the intent of this resolution.

3. A certified copy of this resolution shall be forwarded by the Township Clerk to the following:

- (a) Honorable Jeffrey Melchiondo, Mayor;
- (b) David Breeden, Administrator;
- (c) John J. Hess, P.E., P.P., C.M.E.;
- (d) Kathleen Janeski, CFO;
- (e) Jerry J. Dasti, Esq.; and
- (f) S. Brothers, Inc.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held June 1, 2009, a quorum being present and voting in the majority.

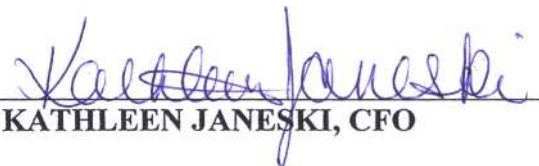
---

**KATHLEEN T. WEST, Township Clerk Prepared by:**

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I, KATHLEEN JANESKI, Chief Financial Officer for the Township of Barnegat, do hereby certify that adequate funds are available for a contract with S. Brothers, Inc., for the reconstruction of Creek View Road and Bridge Road Project in the amount of \$381,312.00.

The funds which are available for this contract are found in the following line item appropriations or ordinances: C-04-55-948-954

  
KATHLEEN JANESKI, CFO

DASTI, MURPHY,  
McGUCKIN, ULAKY,  
CHERKOS & CONNORS

COUNSELLORS AT LAW

620 WEST LACEY ROAD

P O BOX 1057

FORKED RIVER, N. J 08731