

RESOLUTION 2010 - 496

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, REJECTING THE SOLE BID SUBMITTED FOR THE PROVIDING OF THE NEW TELEPHONE SYSTEM TO THE TOWNSHIP OF BARNEGAT

WHEREAS, the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township"), has solicited bids for the providing of a new telephone system for the Township Municipal Building (the "project") and

WHEREAS, 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, one bid was received in response to the bid solicitation, from Liberty Communications and Data Systems, Inc.; and

WHEREAS, the one bid submitted did not include the required Bid Bond and, therefore, is fatally defective and in violation of the bid requirements; and

WHEREAS, the failure to provide a Bid Bond with the bid package is a fatal flaw which cannot be ignored or waived by the Township; and

NOW, THEREFORE, BE IT RESOLVED, this day of December, 2010, 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 the Township Solicitor and rejects the one bid submitted by Liberty

**DASTI, MURPHY
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Communications and Data Systems, Inc inasmuch as the bid did not include the required Bid Bond.

2. The Township bid solicitation for this project be re-advertised by the Township Clerk.

3. 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.

4. 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) Liberty Communications and Data Systems, Inc.
- (d) Jerry J. Dasti, Esq;

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on December 6, 2010, a quorum being present and voting in the majority.

**DASTI, MURPHY
McGUCKIN, ULAKY,
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Kathleen T. West, RMC
Municipal Clerk

Prepared by:

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JJD:faw[Barnegat Resolutions 2010-GL#18725]