

RESOLUTION NO. 2012-197

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING THE CONTRACT FOR THE SUPPLY OF A 105 FOOT AERIAL LADDER FIRE TRUCK TO PIERCE MANUFACTURING, 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 supply of a 105 foot Aerial Ladder Fire Truck (hereinafter referred to as the "Fire Truck"); 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, two (2) bids have been received in response to the bid solicitation and conformance with the bid specifications, as follows:

BIDDER			BID TOTAL
Smeal Fire Apparatus Company			\$707,652.00
Pierce Manufacturing, Inc.			\$784,308.00

WHEREAS, the bids submitted have been carefully reviewed by the Township and representatives of the Barnegat Township Fire Companies; and

WHEREAS, forty-eight (48) bid defects have been discovered with regard to the bid submitted by Smeal Fire Apparatus Company, a true

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copy and list of which is on file at the office of the Township Clerk and can be reviewed during normal business hours; and

WHEREAS, the bid submitted by Pierce Manufacturing, Inc. has been found by the Township and its professional staff, including representatives of the Fire Company, to be acceptable and in accordance with the bid specifications; and

WHEREAS, the potential award of this bid to the apparent lowest bidder, Pierce Manufacturing, Inc., is in compliance with the Township's budgetary constraints:

NOW, THEREFORE, BE IT RESOLVED, this 19th day of March, 2012, 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 the Fire Companies who have reviewed the bid documents, and rejects the bid submitted by Smeal Fire Apparatus Company, for the reason that Smeal Fire Apparatus Company did not comply with the bid specification requirements. The Township Clerk is in receipt of a report from the Fire Company detailing forty-eight (48) bid specification violations. These irregularities are substantial in nature and cannot be waived by the Township. They are material defects in the bid submitted by Smeal Apparatus Company.

2. The Township awards the bid for the supply of this Fire Truck to Pierce Manufacturing, Inc. for and in consideration of \$784,308.00.

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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 Alfonse Cirulli, Mayor;
- (b) David Breeden, Administrator;
- (c) Barnegat Fire Company;
- (d) Kathleen Janeski, CFO.; and
- (e) Jerry J. Dasti, Esq.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on March 19, 2012, a quorum being present and voting in the majority.

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SHARON AUER, ACTING TOWNSHIP CLERK

Prepared by:

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Forked River, New Jersey 08731

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 Pierce Manufacturing, Inc. for the supply of a 105 foot Aerial Ladder Fire Truck, in the amount of \$784,308.00.

The funds which are available for this contract are found in the following line item appropriations or ordinances: _____

KATHLEEN JANESKI, CFO

JJD:faw/Barnegat Resolutions 2012-GL#20148][Barnegat – Fire Truck Bids 2012 –GL#20384]

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