

RESOLUTION NO. 89-2016

**RESOLUTION OF THE TOWNSHIP OF HARRISON REJECTING LOW MONETARY BID
SUBMITTED BY NEWPORT CONSTRUCTION MANAGEMENT CORP. AND
AWARDING CONTRACT TO LOWEST RESPONSIBLE BIDDER,
ARTHUR J. OGREN, INC., FOR THE CONSTRUCTION OF A NEW POLICE STATION**

WHEREAS, the Mayor and Committee of the Township of Harrison advertised and solicited bids pursuant to N.J.S.A. 40A:11-4 for the construction of a new Police Station; and

WHEREAS, bids were received and opened on December 4, 2015 at 2:00 p.m.; and

WHEREAS, the Contract was bid as a Base Contract and Alternates #1 - #15; and

WHEREAS, eight (8) bids were received by the Township's Clerk; and

WHEREAS, the Harrison Township Committee determined to award the Base Bid and Alternates #1, 2, 3, 4, 6, 7, 9, 11, 12 and 13; and

WHEREAS, Newport Construction Management Corp. submitted the lowest monetary bid in the sum of \$5,178,500.00 for the Base Bid and Alternates #1, 2, 3, 4, 6, 7, 9, 11, 12 and 13; and

WHEREAS, the bid package submitted by Newport Construction Management Corp. is materially defective for the following reasons:

a) the bid submission did not include or provide proof that the following subcontractors are compliant or registered in accordance with the Public Work Contractor Registration Act, N.J.S.A. 34:11-56.48, et seq., and pursuant to Paragraph 1.7D of the Advertisement for Bids;

- i) Gentile Concrete - concrete work;
- ii) Dooley & Kretschman - masonry work; and
- iii) Patriot Roofing - roofing work

b) the bid submission did not include a copy of the Business Registration Certificate ("BRC") for the following subcontractors and proof that they are registered and/or are compliant with N.J.S.A. 52:32-44, et seq., and pursuant to Paragraph 1.7E of the Advertisement for Bids:

- i) Gentile Concrete - concrete work;
- ii) Dooley & Kretschman - masonry work; and
- iii) Patriot Roofing - roofing work

c) Newport Construction Management Corp.'s bid for the line item "Public Works" in the sum of \$904,200.00 is unbalanced when compared to the Township Engineer's estimate and the bids submitted by the other seven (7) bidders; and

WHEREAS, for the aforementioned reasons, the bid submitted by the low monetary bidder, Newport Construction Management Corp., is rejected as being materially defective; and

WHEREAS, Arthur J. Ogren, Inc. submitted the second lowest monetary bid in the total sum of \$5,272,500.00 for Alternates #1, 2, 3, 4, 6, 7, 9, 11, 12 and 13; and

WHEREAS, the bid submitted by Arthur J. Ogren, Inc. is the lowest monetary responsive bid; and

WHEREAS, the Township's Architect and Solicitor have determined that the bid submitted by Arthur J. Ogren, Inc. is in conformance with the Bid Advertisement and Specifications, and Local Public Contracts Law; and recommend the award of the Contract to Arthur J. Ogren, Inc.; and

WHEREAS, the Township's Chief Financial Officer has certified that sufficient funds are available to award the Contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Harrison that the Contract for the construction of a new Police Station be and the same is hereby awarded to Arthur J. Ogren, Inc. on its total bid of \$5,272,500.00 (Base Bid and Alternates #1, 2, 3, 4, 6, 7, 9, 11, 12 and 13) subject to the conditions set forth below.

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Township of Harrison are hereby authorized and directed to execute the Contract for same.

BE IT FURTHER RESOLVED that the certified checks or bid bonds of the successful bidder and next lowest responsive bidder are to be returned upon the receipt of fully executed Contract and other required documents by the lowest responsive bidder, Arthur J. Ogren, Inc.

ADOPTED at a regular meeting of the Mayor and Township Committee of the Township of Harrison, County of Gloucester, State of New Jersey held on February 1, 2016.

TOWNSHIP OF HARRISON

BY: _____
LOUIS F. MANZO, MAYOR

ATTEST:

DIANE L. MALLOY
Municipal Clerk

ROLL CALL VOTE				
COMMITTEE MEMBER	AYES	NAYS	ABSTAIN	ABSENT
Manzo				
Clowney				
Diggons				
Heim				
Williams				

CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Harrison, County of Gloucester, State of New Jersey, at a meeting held by the same on February 1, 2016 in the Harrison Township Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062.

DIANE L. MALLOY
Municipal Clerk