

TOWNSHIP COMMITTEE SPECIAL MEETING – SEPTEMBER 21, 2015 – 6:00 P.M.

Mayor Jahn calls the meeting to order and asks the Clerk to call the roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
J. Randy Bishop	_____
Dr. Michael Brantley	_____
Eric J. Houghtaling	_____
Kevin B. McMillan	_____
Mary Beth Jahn	_____

Also present at the dais: Vito D. Gadaleta, Business Administrator; Michael J. Bascom, Chief Financial Officer; Gene J. Anthony, Township Attorney; and Richard J. Cuttrell, Municipal Clerk.

Silent Prayer and Flag Salute

The Clerk states, "Fire exits are located in the rear of the room and to my right. In the event of a fire, you will be notified by fire alarm and/or public address system, then proceed to the nearest smoke-free exit."

Mayor Jahn announces that the notice requirements of R.S. 10:4-18 have been satisfied by the required public notice to The Coaster and the Asbury Park Press on September 17, 2015, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the notice of special meeting, meeting agenda and resolutions are posted online at www.neptunetownship.org.

PUBLIC COMMENTS ON RESOLUTIONS

Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes.

RESOLUTIONS

Res. # 15-385 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by:_____ Seconded by:_____
Vote: Bishop, _____; Brantley, _____; Houghtaling, _____; McMillan, _____; Jahn, _____.

Res. # 15-386 – Rescind Resolution #15-358 and award bid to Bird Construction for the reconstruction of Ocean Grove Boardwalk – North End.

Offered by:_____ Seconded by:_____
Vote: Bishop, _____; Brantley, _____; Houghtaling, _____; McMillan, _____; Jahn, _____.

ADJOURNMENT

RESOLUTION #15-385 – 9/21/15

AUTHORIZE AN EXECUTIVE SESSION AS AUTHORIZED BY
THE OPEN PUBLIC MEETINGS ACT

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

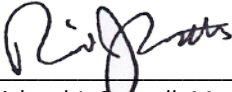
WHEREAS, this public body is of the opinion that such circumstances presently exist,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, as follows:

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

Potential Litigation – Bid for replacement of Ocean Grove boardwalk
3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.
4. This Resolution shall take effect immediately.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 21, 2015



Richard J. Cuttrell, Municipal Clerk

RESOLUTION #15-386 - 9/21/15

RESCIND RESOLUTION #15-358 AND AWARD BID TO BIRD CONSTRUCTION FOR
THE RECONSTRUCTION OF THE OCEAN GROVE BOARDWALK – NORTH END

WHEREAS, on August 12, 2015, the Township Consulting Engineer received bids for the award of a contract for the Reconstruction of the Ocean Grove Boardwalk – North End; and,

WHEREAS, said bids were advertised, received and awarded in a “fair and open” competitive bidding process in accordance with the Open Public Contracts Law; and,

WHEREAS, on August 24, 2015, the Township Committee adopted Resolution #15-358 which awarded the bid to Epic Management, Inc. on their base bid of \$609,200.00; and,

WHEREAS, on August 25, 2015, a Bid Protest Letter was received by Bird Construction, the next lowest bidder, which stated that Epic Management, Inc. was non-responsive to the bid specifications due to a failure to submit Responsible Contractor Certifications for its subcontractors as required by the Township's Responsible Contractor Ordinance; and,

WHEREAS, the Township Attorney has concluded that the bid submitted by Epic Management, Inc. failed to include Responsible Contractor's Certifications for two subcontractors and is therefore non-responsive to the bid specifications; and,

WHEREAS, the next lowest bid submitted by Bird Construction is deemed to be the lowest responsible bid; and,

WHEREAS, funds for this purpose will be provided in Ordinance No. 14-09, as amended by Ordinance No. 14-43, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that Resolution #15-358 which awarded a bid to Epic Management, Inc. for Reconstruction of the Ocean Grove Boardwalk – North End be and is hereby rescinded for the reasons stated herein; and,

BE IT FURTHER RESOLVED, that a contract be awarded to Bird Construction on their lowest responsible base bid of \$622,739.00 for Reconstruction of the Ocean Grove Boardwalk – North End; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Business Administrator, Chief Financial Officer, Assistant C.F.O., Leon S. Avakian, Inc. and Township Engineer.

CERTIFICATION
HEREBY CERTIFY THE ABOVE TO BE A TRUE
COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
NEPTUNE ON SEPTEMBER 21, 2015


Richard J. Cuttrell, Municipal Clerk