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100 Washington Street
Boonton, NJ 07005

RESOLUTION 21-189

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF BOONTON REJECTING THE BIDS TO CONTRACT FOR THE REPAIR OF THE HILL STREET SLOPE FAILURE

WHEREAS, pursuant to authorization by the Mayor and Town Council of the Town of Boonton (the "Town"), the Town received bid proposals on June 10, 2021 for the "Hill Street Slope Failure Repair Project" (hereinafter, the "Project"); and

WHEREAS, the Town received four (4) bids, which were publicly opened and read aloud; and

WHEREAS, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest responsive, responsible bidder; and

WHEREAS, it has been determined that the lowest responsive, responsible bid received was in a total amount of over \$173,000.00; and

WHEREAS, upon review of the Town Engineer, the bids indicated that the pricing of the work varied greatly between bidders, evidenced a lack of competition as to pricing, and that the Town did not budget for such an amount for this particular project, See Bid Review and Recommendation Letter, attached at "Exhibit A"; and

WHEREAS, as all four bids substantially exceeded the Town Engineer's estimate for the Project, the Town Engineer recommends rejecting all bids, and that the Town of Boonton plan to re-bid the projects after further evaluation. Id.; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2, Rejection of bids; reasons, a contracting unit may reject all bids where the lowest bid substantially exceeds the cost estimates for the goods or services, substantially exceeds the contracting unit's appropriation for the goods or services, or the contracting unit wants to substantially revise the specifications for the goods or services; and

WHEREAS, the Mayor and Town Council have concluded that rejecting the bids as submitted is in the best interests of the Town, and agree with the Town Engineer's recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Boonton, in the County of Morris, and State of New Jersey, as follows:

1. That the bids proposals as opened June 10, 2021 as to the "Hill Street Slope Failure Repair Project" all be rejected.
2. That the project be further evaluated, as may be recommended by the Town Engineer.
3. That this Resolution shall take effect immediately.

I, Cynthia Oravits, Town Clerk of Boonton, County of Morris and State of New Jersey, hereby certifies this to be a true copy of a resolution adopted by the Mayor and Town Council on July 19, 2021.

Cynthia A. Oravits, RMC
Town Clerk