



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-107

Resolution Authorizing Emergency Contracts Due to Failure of Water Witch Sanitary Sewer Station

WHEREAS, the Local Public Contracts Law permits the award of emergency contracts pursuant to N.J.S.A. 40A:11-6 et. seq., subject to certain criteria, and

WHEREAS, the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-6 et seq. allows the award of contracts without public advertising for bids and bidding when an emergency exists affecting the public health, safety or welfare which requires the immediate delivery of goods or the performance of services, wherein the award of contract is made in the manner prescribed by the aforesaid statutory provision; and

WHEREAS, the Borough of Highlands has determined that an emergency exists, wherein due to high volume of flow from the rainfall on May 5, 2017, both pumps at the Water Witch Sanitary Sewer Station failed; and

WHEREAS, as a result of the aforesaid emergency, there was/is a need to use a vacuum truck to keep the flow into the station down, a need to pump down the wet well, stabilize one (1) pump to run until such time as a proper bypassing system could be put into place, remove a sanitary sewer blockage that occurred at the intersection of Valley and Bay Avenue, as well as a need to clean the pump station wet well from large debris and sand and replace the two (2) pumps; and

WHEREAS, the Borough has determined that the aforesaid emergency affects the public health, safety and/or welfare; and

WHEREAS, in accordance with the aforesaid declaration and pursuant to N.J.S.A. 40A:11-6 et. seq., the aforesaid emergency pump replacement project is awarded to:

- Pumping Services, Inc., for two (2) pumps for the pump station in an amount not to exceed \$55,000;
- Oswald Enterprises, to clean chambers, in an amount not to exceed \$4,500; and
- Branin Company, to supply a temporary pump and pump down, in an amount not to exceed \$4,500;

thereby totaling \$64,000; and

WHEREAS, certification of funds having been made by the Chief Financial Officer, that funds are available for the said purpose.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands that the contracts for the aforesaid emergency replacement pumps be and are hereby authorized and ratified with Pumping Services, Inc. in an amount not to exceed \$55,000; Oswald Enterprises in an amount not to exceed \$4,500 and Branin Company in an amount not to exceed \$4,500 for a total amount of \$64,000.

BE IT FURTHER RESOLVED, that these contracts are being awarded without public advertisement for bids pursuant to an emergency situation affecting the public health, safety and/or welfare, and as authorized by the Local Public Contract Laws, in accordance with N.J.S.A. 40A:11-6, which permits the awarding of emergency contracts.

BE IT FURTHER RESOLVED, that the Borough officials, including but not limited to, the Borough Administrator, are hereby authorized to execute the said emergency contracts, as well as any and all documents required to effectuate the same.

Motion: Approve Resolution 17-107, **moved** by Councilmember Broullon; **Seconded** by Councilmember Wells

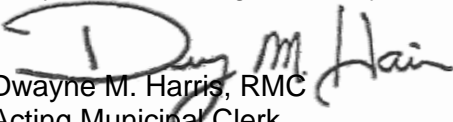
Vote: Motion carried by roll call vote (summary: Yes = 5; No = 0).

Yes: Councilmembers Broullon, Card, D'Arrigo, Wells and Mayor O'Neil

No: None

Abstain: None

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Meeting, held May 17, 2017. WITNESS my hand this 18th day of May 2017.


Dwayne M. Harris, RMC
Acting Municipal Clerk

