



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-204-2510; www.bernards.org

## Resolution #2019-0441

Award of Bid for 2019 DPW Curbing-Sidewalk Improvements to  
Landtek Construction DBA United Terrain, 386 Highway 79, Morganville NJ 07751  
In the Amount of \$ 151,900.00

**WHEREAS**, the Township of Bernards received bids on September 17, 2019 at 10:30 A.M. for 2019 DPW Curbing-Sidewalk Improvements

Bidders Name	BID AMOUNT
Landtek Construction DBA United Terrain	\$151,900.00
AA Berms LLC	\$158,950.00
A.Takton Concrete Group	\$175,900.00
Diamond Construction	\$334,250.00

and;

**WHEREAS**, it is the combined recommendation of the Director of Public Works, Administrator and Purchasing Agent to award the contract to Landtek Construction DBA United Terrain, 386 Highway 79, Morganville NJ 07751, in the amount of \$151,900.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations or Capital Ordinance #2387 line account #C-04-55-387-C02 (\$31,900.00) and line account #9-01-26-290-266 (\$120,000.00); and

**WHEREAS**, this contract has been awarded to Landtek Construction DBA United Terrain, through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that the bid be awarded to: Landtek Construction DBA United Terrain, 386 Highway 79, Morganville NJ 07751, in the amount of \$ 151,900.00.

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards that in accordance with the bid specifications, the contract between Bernards Township ("Owner") and Landtek Construction DBA United Terrain, ("Contractor") shall contain:

1. Provisions of all labor, material, and equipment necessary to perform all work as indicated on the Drawings and Specified for the 2019 DPW Curbing-Sidewalk Improvements.
2. This contract shall, for all purposes, be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
3. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
4. The cost of this contract is not to exceed the total bid amount unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
5. Billing must be rendered within 30 days of service delivery.

6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to resolution as Exhibit B.
7. The Township may terminate this contract if contractor does not fulfill the services as outlined in the Bid Specification, upon 10 days written notice via certified mail.
8. The work contemplated under the Contract shall be completed between October 29, 2019 and October 28, 2020.
9. The Contractor shall commence the work not later than 10 calendar days after the owner has given the Notice to Proceed Date to the Contractor in writing.
10. The completion time period shall include, but not be limited to, the time necessary to prepare shop drawings, to order, process, and deliver all equipment and materials, to obtain necessary permits and approvals, to perform the proper installation contemplated under this Contract and all else necessary and incidental in connection with the performance of this Contract.
11. If the Contractor fails to complete the work within the specified time plus extensions, the Contractor shall be responsible to the Township for liquidated damages in the sum of \$500.00 per day for every day thereafter until the completion and acceptance of the work. Such liquidated damages shall not be considered as a penalty. The Township shall deduct and retain out of any money due or to become due herein to Contract the amount of the liquidated damages.
12. In accordance with bid specifications, if the Contractor, upon notification by the Township of Bernards, fails to execute the contract prepared by the Township attorney within 10 days of such notification with the Township of Bernards, the Township may rescind the award of the bid to the Contractor and award the contract to another bidder, and shall have the right to proceed against the guaranty accompanying the bid.

I agree to the terms as stated in this Resolution and by signing this document, as I am committed to follow all terms of this award.

\_\_\_\_\_  
 Juan Urro/President

Agenda and Date Voted: October 29, 2019

**EXPLANATORY STATEMENT**

The Municipal parking lot on South Maple Ave needs to have curbs and sidewalks replaced. The scope of work will include removal of concrete curbs and replacements with granite block curb. The sidewalks will be removed and replaced. There will be upgraded ADA ramps. There will also be other identified areas where curbing and sidewalks need replacements throughout the Township as needed.

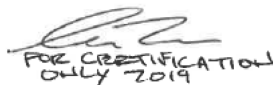
9/30/19

Jorge L Casacuberta  
 Director of Public Works

**CHIEF FINANCIAL OFFICER CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$151,900.00. Monies are available in the Capital Ordinance, #2387 line account #C-04-55-387-C02 (\$31,900.00) and line account #9-01-26-290-266 (\$120,000.00).

Date: October 23, 2019



FOR CERTIFICATION  
 ONLY 2019

Sean McCarthy, Chief Financial Officer

**PURCHASING CERTIFICATION**

I hereby certify that I have prepared this resolution and reviewed it for accuracy.



For Purchasing Agent

Date: September 30, 2019

Francis J. Decibus, QPA  
 Purchasing Agent

**CERTIFICATION**

**I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 10/29/2019.**

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**Rhonda Pisano, Municipal Clerk**