

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 08-99

**RESOLUTION REJECTING BID SUBMITTED BY
GREENLEAF LANDSCAPING SYSTEMS & SERVICES, INC. AND
AWARDING A CONTRACT TO CENTRAL JERSEY WEEDMAN
FOR THE 2008-2009 PARK MAINTENANCE CONTRACT**

Ms. Lee offered the following resolution and moved its adoption:

WHEREAS, on April 9, 2008, sealed bids were received for certain work related to the Borough's 2008-2009 Park Maintenance Contract; and

WHEREAS, on April 14, 2008, the Mayor and Council accepted the bid submitted by Greenleaf Landscape Systems and Services, Inc. in the amount of \$121,440.00 be accepted; and

WHEREAS, it was subsequently learned that although Greenleaf had submitted a facially valid Business Registration Certificate as part of its bid package, that Registration is not valid at this time; and

WHEREAS, N.J.S.A. §NJSA 40A:11-23.2(f) provides that failure to submit a valid Business Registration Certificate is a non-waivable, non-curable defect in the public bidding context; and

WHEREAS, the next highest responsible bidder was Central Jersey Weedman who submitted the following bids in alternate fashion:

| <u>Item</u> | <u>Location</u> | <u>Bid</u> |
|--------------------|---|---------------------|
| Base Bid | Riverside Gardens Park | \$25,500.00 |
| Alternate A | Marine Park | \$12,000.00 |
| Alternate B | West Bergen Park | \$4,500.00 |
| Alternate C | East Side Park | \$16,000.00 |
| Alternate D | Count Basie Park | \$44,000.00 |
| Alternate E | Senior Citizen Center | \$4,400.00 |
| Alternate F | Triangle at Riverside Avenue, Front and Pearl Streets | \$2,600.00 |
| Alternate G | 90 Monmouth Street | \$9,500.00 |
| Alternate H | Tower Hill Water Plant | \$6,000.00 |
| Alternate I | Marion Street Lot | \$2,500.00 |
| Total | | \$127,000.00 |

WHEREAS, it has been confirmed that Central Jersey Weedman does have a valid

Business Registration Certificate; and

WHEREAS, funds are available for this purpose as certified by the Chief Financial Officer as demonstrated by the attached certification in account no(s). 8-01-26-772-260;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the above-described bid received from Greenleaf Landscape Systems and Services, Inc. is hereby rejected; and

BE IT FURTHER RESOLVED that the bid submitted by Central Jersey Weedman, be accepted in an amount not to exceed \$121,000.00, inclusive of the base bid and the eight alternates set forth above; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized and requested to sign and deliver this contract on behalf of the Borough of Red Bank; and

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Borough Engineer and to Central Jersey Weedman, P.O. Box 294 Perrineville, New Jersey 08535.

Seconded by Ms. Cangemi and adopted on roll call by the following vote:

| | Yes | No | Abstain | Absent |
|-------------|-------|-----|---------|--------|
| Mr. Curley | (x) | () | () | () |
| Mr. Murphy | (x) | () | () | () |
| Ms. Lee | (x) | () | () | () |
| Mr. DuPont | (x) | () | () | () |
| Ms. Cangemi | (x) | () | () | () |
| Ms. Horgan | (x) | () | () | () |

Dated: April 28, 2008