

**BOROUGH OF RED BANK**  
**COUNTY OF MONMOUTH**  
**RESOLUTION NO. 15-179**

**RESOLUTION REJECTING BIDS FOR MARINE PARK PUMP STATION  
IMPROVEMENTS AND AUTHORIZING ENGINEER TO  
MODIFY SPECIFICATIONS AND RE-BID THE PROJECT**

Councilman Zipprich offered the following resolution and moved its adoption:

**WHEREAS**, after the required legal advertising was published, sealed bids were received on April 15, 2015 by the Borough of Red Bank ( the “Borough”) in accordance with *N.J.S.A.* 40A:11-1 et seq., “Local Public Contracts Law” for Marine Park Improvements ( the “Project”); and

**WHEREAS**, the Borough received four (4) bids for the Project; and

**WHEREAS**, the bids were reviewed by the Borough Engineer;

**WHEREAS**, all of bids exceed the Engineer’s estimate and the funds available for the Project; and

**WHEREAS**, the Engineer has recommended that all of the bids be rejected and that the Project be modified or reduced in scope to meet the estimate and funds available and that the Project be re-bid; and

**WHEREAS**, N.J.S.A. §40A:11-13.2 permits a municipality to reject all bids when the Governing Body of the contracting unit determines that the lowest bid substantially exceeds the cost estimates for the goods or services; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Red Bank that all bids for the above mentioned Project be rejected; and it is

**FURTHER** resolved that all security deposits and bid bonds that have been posted with the Borough by any bidder on the subject contract be returned to the bidders; and is

**FURTHER** resolved that the Borough Engineer is authorized to prepare revised and/or modified bid specifications and re-bid for the Project.

Seconded by Councilwoman Horgan and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Murphy	( x )	( )	( )	( )
Councilwoman Burnham	( x )	( )	( )	( )
Councilwoman Horgan	( x )	( )	( )	( )
Councilwoman Schwabenbauer	( )	( )	( )	( x )
Councilman Zipprich	( x )	( )	( )	( )
Councilman DuPont	( )	( )	( )	( x )

Dated: July 8, 2015