



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-051

Resolution Authorizing an Emergency Contract for Emergency Roadwork in the Area of Snug Harbor

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 with regard to severe road deterioration in the area of Snug Harbor; and

WHEREAS, as a result of the aforesaid emergency, there is a need to mill and overlay portions of the road in the area of Snug Harbor; 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 milling and road overlay project is awarded to J.F. Kiely Construction of Long Branch, NJ, in the amount of \$139,443.75; 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 contract for the aforesaid emergency storm sewer replacement be and is hereby authorized and ratified with J.F. Kiely Construction in the amount of \$139,443.75

BE IT FURTHER RESOLVED, that this contract is 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 contract, as well as any and all documents required to effectuate the same.

Motion: Approve Resolution 17-051, **Moved by** Councilmember Broullon; **Seconded by** Councilmember Card

Vote: Motion carried by roll call vote (**summary:** Yes = 4; Abstain = 1).

Yes: Councilmember Broullon, Councilmember Card, Councilmember D'Arrigo, Councilmember Wells.

Abstain: Mayor O'Neil

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 Regular Meeting, held February 15, 2017. WITNESS my hand this 16th day of February 2017.



Dwayne M. Harris, RMC
Acting Municipal Clerk