

Explanation: This Resolution authorizes the rejection of a Bid for the River Road Park Community Garden Project Phase 1 pursuant to N.J.S.A. 40A:11-13.2.

**BEDMINSTER TOWNSHIP
RESOLUTION No. 2023-096**

WHEREAS, on May 18, 2023, the Qualified Purchasing Agent and Township Engineer held a bid opening for the River Road Park Community Garden Project Phase 1; and

WHEREAS, the Township received zero (0) bids and rebid the project; and

WHEREAS, on June 15, 2023, the Qualified Purchasing Agent and Township Engineer held a bid opening for the rebid of this project and received one (1) bid from Sunset Creations, Inc. totaling \$804,715.00, which was publicly opened and read aloud; and

WHEREAS, the unit prices for some of the items were significantly above fair market prices and not comparable to other prices since only one bid was received; and

WHEREAS, the bid substantially exceeded the Engineer's estimate for the Project and the Township Engineer recommends rejecting the bid; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2 (a-b), rejection of bids; reasons, a contracting unit may reject all bids where the lowest bid substantially exceeds the cost estimates for the goods or services, and the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services; and

WHEREAS, the Township Committee has concluded that rejecting the bid as submitted is in the best interest of the Township and agree with the Engineer's recommendation; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5 (3), Bids have been advertised pursuant to section 4 of P.L.1971, c.198 (C.40A:11-4) and, on one occasion no bids were received pursuant to (a) and on one occasion all bids were rejected pursuant to (b), in whatever sequence; any such contract may then be negotiated.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bedminster, County of Somerset, State of New Jersey as follows:

1. That the bid proposal as opened on June 15, 2023, as to the "Community Garden Project Phase 1" be and is hereby rejected.
2. That the Township Engineer is authorized to reevaluate and negotiate the proposal.
3. The Qualified Purchasing Agent shall notify each responsible bidder submitting bids on the second occasion of its intention to negotiate and afford each bidder a reasonable opportunity to negotiate as required.

ATTEST:

BEDMINSTER TOWNSHIP COMMITTEE:

By: _____

Robin A. Ray, Municipal Clerk

By: _____

Lawrence F. Jacobs, Mayor

CERTIFICATION

I, Robin A. Ray, Municipal Clerk of the Township of Bedminster, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Township Committee at a Regular Meeting held on June 20, 2023.

Robin A. Ray, Municipal Clerk

Introduced	Seconded	Township Committee	Aye	Nay	Abstain	Absent
		Lawrence F. Jacobs, Mayor	✓			
		Douglas A. Stevinson				✓
	✓	R. Colin Hickey	✓			
✓		Renee M. Mareski	✓			
		Gina Lisa-Fernandez				✓