

RESOLUTION NO. 2025-92

WHEREAS, pursuant to provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. Specifications and bid proposals were prepared and duly advertised by the Township of Aberdeen for Firemen's Park Improvements; and

WHEREAS, bids were received by the Qualified Purchasing Agent on July 31, 2025 for the aforesaid project from the following contractors:

1. Wallace Bros., Inc.
2. Seacoast Construction, Inc.

WHEREAS, the aforesaid bids were reviewed by the Qualified Purchasing Agent and deemed unresponsive; and

WHEREAS, bids were received by the Qualified Purchasing Agent on August 21, 2025 for the aforesaid project from the following contractors:

1. TC Landscaping
2. Wallace Bros., Inc.
3. Seacoast Construction, Inc.

WHEREAS, TC Landscaping Construction Group, Inc. was determined to be the lowest bidder for the aforesaid project; and

WHEREAS, pursuant to N.J.S.A. 40A:11-23.3 the low bidder requested that the Township permit the withdrawal of the submitted bid due to a mistake made; and

WHEREAS, N.J.S.A. 40A:11-13.2(a) authorizes the Township to reject all bids when the lowest bid substantially exceeds the cost estimates for the goods or services; and

WHEREAS, N.J.S.A. 40A:11-13.2(b) authorizes the Township to reject all bids when the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services; and

WHEREAS, as a result of the aforesaid withdrawal of the lowest bidder, the remaining bids for the project exceed the cost estimate for the services to be provided; and

WHEREAS, as a result of the aforesaid withdrawal of the lowest bidder, the remaining bids for the project substantially exceeds the contracting unit's appropriation for the services to be provided; and

WHEREAS, in light of the aforementioned, the QPA has recommended that the remaining bids be rejected, and the bid security returned to each bidder; and

WHEREAS, N.J.S.A. 40A:11-5(3)(c) establishes that a governing body may negotiate and award a contract without public advertising for bids and bidding if no bids were received on one occasion and on one occasion all bids were rejected by the governing body because it has determined that they are not reasonable as to price, on the basis of cost estimates prepared for or by the contracting agent prior to the advertising and;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Aberdeen that pursuant to N.J.S.A. 40A:11-13.2, all of the bids that were received for the Firemen's Park Improvement Project be and are hereby rejected.

BE IT FURTHER RESOLVED, that the bid security be returned to each of the bidders for the aforesaid project.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Aberdeen pursuant to N.J.S.A 40A:11-5(3)(c), the QPA is authorized to negotiate and notify each responsible bidder of the contracting unit's intention to negotiate, and afford each bidder a reasonable opportunity to negotiate.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to each of the bidders for the aforesaid project.

ROLL CALL VOTE:

Ayes: Councilmembers Cannon, Hirsch, Kelley, Martucci, Swindle, Deputy Mayor Montone, Mayor Tagliarini

Nays: None

Abstain: None

Absent: None

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of Aberdeen on September 18, 2025

Melissa Pfeifer

Melissa Pfeifer, Township Clerk