



# *Municipality of Princeton*

*Municipal Building  
400 Witherspoon Street  
Princeton, NJ 08540-3496*

*Department of Community Development  
Office of the Engineer  
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*ROBERT V. KISER, P.E.  
Director of Engineering*

## MEMORANDUM

TO: Robert Bruschi, Administrator

FROM: Deanna Stockton, P.E., Assistant Municipal Engineer

DATE: July 23, 2014

SUBJECT: Recommendation for Award of Contract to Repair Sidewalks NTE \$22,775.00 – Always Safe Sidewalks

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Attached please find a resolution for the not exceed amount of \$22,775.00 for Always Safe Sidewalks to professionally cut sidewalk trip hazards in the central business district in the locations shown on the attached maps.

Always Safe Sidewalks has performed test sidewalk cutting and we are satisfied that their method can provide a better final product over sidewalk grinding.

In consideration of the above, it is recommended that a contract be awarded to Always Safe Sidewalks in the not to exceed amount of \$22,775.00.

Deanna Stockton, P.E., Assistant Municipal Engineer

RVK/cc

c: Linda McDermott, Municipal Clerk  
Trishka Waterbury Cecil, Municipal Attorney  
Kathy Monzo, Deputy Administrator/Director of Finance  
Sandy Webb, CFO  
Deanna Stockton, P.E., Assistant Municipal Engineer  
Chris Knigge, Engineering Aide  
Rosanna Roberto, Secretary

**RESOLUTION 2014-R**  
**OF THE MAYOR AND COUNCIL OF THE MUNICIPALITY OF PRINCETON**  
**AUTHORIZING A CONTRACT TO ALWAYS SAFE SIDEWALKS FOR SIDEWALK**  
**CUTTING SERVICES**

**WHEREAS**, it is the goal of the Municipality to maintain safe sidewalks; and

**WHEREAS**, the Mayor and Council approved Ordinance Number 2013-30 on December 9, 2013 which confirms that the municipality will take remedial actions to address sidewalks that have been raised and / or damaged by municipally-owned trees; and

**WHEREAS**, the Engineering Department has compiled a list of locations in the central business district where sidewalk damage has occurred due to municipally-owned trees; and

**WHEREAS**, the Municipality desires to enter into a contract with ALWAYS SAFE SIDEWALKS to perform sidewalk cutting as the preferred method of remediation of this sidewalk damage; and

**WHEREAS**, this contract award is exempt from public bidding pursuant to N.J.S.A. 40A:11-3(a) and 40A:11-6.1(a) because the contract amount does not exceed the bid threshold; and

**WHEREAS**, the Municipality has a need to acquire the foregoing services without a “fair and open process” as defined by P.L. 2004, c. 19, the “Local Unit Pay-to-Play Law”; and

**WHEREAS**, ALWAYS SAFE SIDEWALKS will complete and file with the Municipality a Business Entity Disclosure Certification as required by N.J.S.A. 19:44A-20.2 *et seq.* certifying that it has not made any prohibited contributions to a candidate committee or municipal committee representing the elected officials of the Municipality of Princeton, along with a Political Disclosure Contribution Form as required by N.J.S.A. 19:44A-20.26; and

**WHEREAS**, the CFO has certified that there are sufficient funds in accordance with N.J.A.C. 5:30-5.4 to award a contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Municipality of Princeton as follows:

The Mayor and Clerk are hereby authorized to enter into a contract with ALWAYS SAFE SIDEWALKS (herein after referred to as "Provider") for the amount of \$22,775.00 to remove trip hazards from municipal sidewalks in the central business district using a patented, proprietary sidewalk cutting method.

1. The contract so authorized shall require the Provider to provide services and other related duties, as follows:

Provider shall perform sidewalk cutting services in the central business district as directed by the Engineering Department.

Under this Agreement, Provider shall at all times act as an independent professional contractor and not as an employee of the Municipality, and shall have no authority to act as an agent or representative of the Municipality or to enter into any financial or other contractual commitment on behalf of the Municipality without the prior written approval of same granted in accordance with law.

Payment of fees will be made upon the submission to the Provider to the Municipality of invoices in duplicate in the form prescribed by the Municipality not later than the tenth (10th) day of the month following that covered by the invoice, and shall specify in detail the periods for which fees are claimed for the services performed.

2. The form of contract shall include standard provisions common to contracts entered into by the Municipality and shall be subject to approval by the Municipal Attorney.

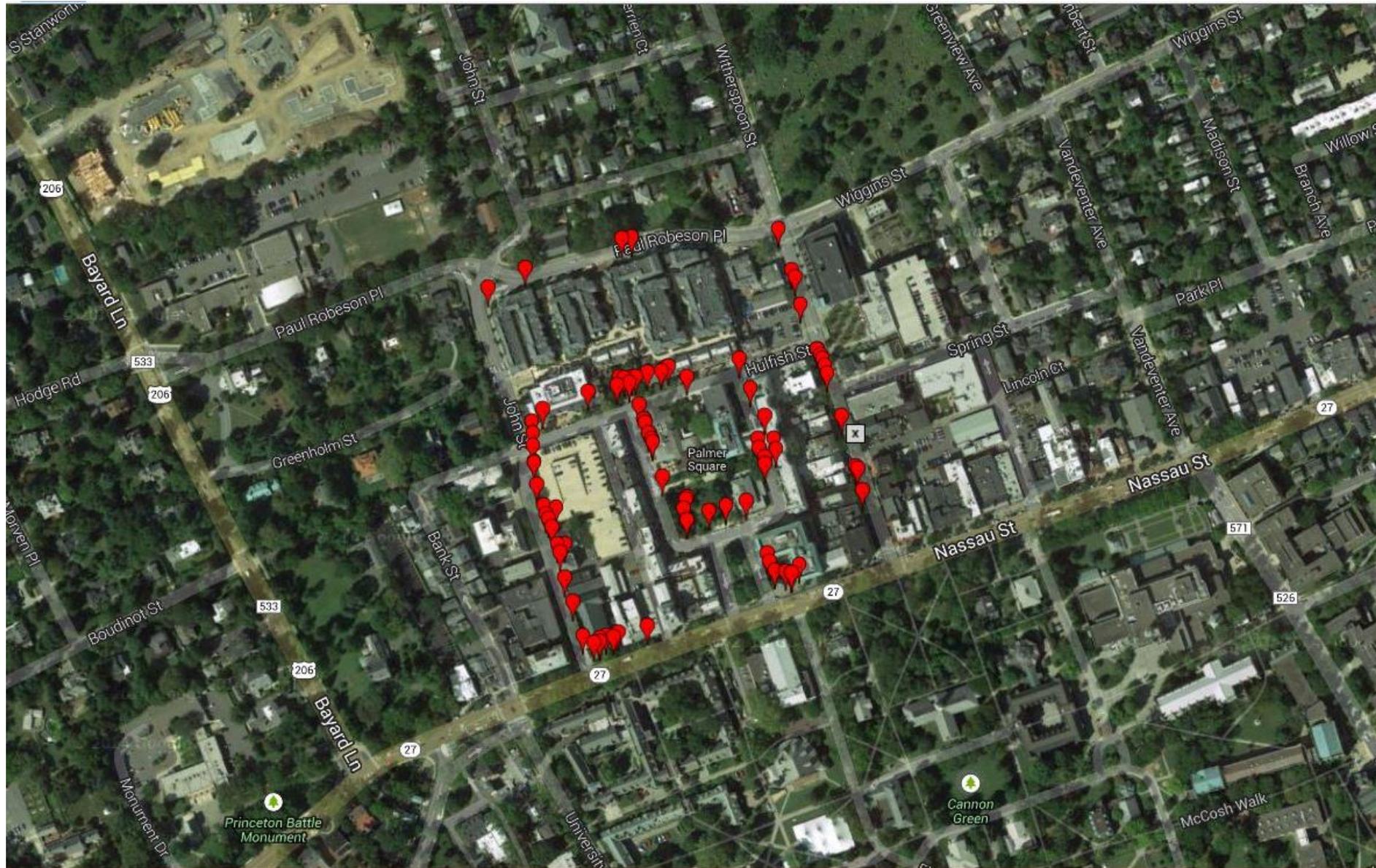
3. The contract award is subject to ALWAYS SAFE SIDEWALKS completing and submitting a Business Entity Disclosure Certification and a Political Disclosure

Contribution Form, which certify that ALWAYS SAFE SIDEWALKS has not made any reportable contributions to a political or candidate committee in the Municipality in the previous one year, and that the contract will prohibit ALWAYS SAFE SIDEWALKS from making any reportable contributions through the term of the contract.

4. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Ms. Butler								
Mrs. Crumiller								
Ms. Howard								
Mr. Liverman								
Mr. Miller								
Mr. Simon								
Mayor Lempert								
<p>I, Linda S. McDermott, Clerk of the Municipality of Princeton, do hereby certify that the above is a true and complete copy of a resolution adopted by the Mayor and Council of said Municipality at a meeting held July 28, 2014.</p> <p>IN WITNESS WHEREOF, I hereunto set my hand and affix the corporate seal of said Municipality, this July _____, 2014.</p>								
<p>_____ Linda S. McDermott Municipal Clerk</p>								

# PRINCETON



# NASSAU STREET- PRINCETON, NJ

## ROUTE 206 TO HARRISON STREET

