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**RESOLUTION 22-72**

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**Resolution Authorizing a Construction Contract Award to Earle Asphalt Company in the Not to Exceed Amount of \$4,474,913.13 for the Witherspoon Phase 1 (Nassau Street to Green Street) Improvement Project**

**WHEREAS**, in response to a duly advertised Notice to Bidders under the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11- 1 et seq.*, on February 8, 2022 Princeton received the following two (2) bids for the Roadway Improvements to Witherspoon Street project:

1. \$4,474,913.13 by Earle Asphalt Company, Farmingdale, New Jersey
2. \$4,539,047.75 by S. Brothers Inc., South River, New Jersey; and

**WHEREAS**, the Engineer has reviewed Earle Asphalt Company's bid and recommends that the contract be awarded to Earle Asphalt Company as the lowest responsible bidder; and

**WHEREAS**, the Municipal Attorney's Office has reviewed the bid submitted by Earle Asphalt Company and finds that its submission is in compliance with the bidding requirements for same; and

**WHEREAS**, Princeton's engineering consultant, T&M Associates, has also reviewed Earle Asphalt Company's bid and recommends that the contract be awarded to Earle Asphalt Company as the lowest responsible bidder; and

**WHEREAS**, Princeton has appropriated funds for this capital project which include the receipt of the New Jersey Department of Transportation Fiscal Year 2019 Municipal Aid Grant in the amount of \$610,000.00; and

**WHEREAS**, Princeton has appropriated sufficient funds for this project in capital

accounts 04-215-17-032-089-301 (\$313,548.33), 04-215-18-010-089-301 (\$487,670.18), 04-215-17-037-076-325 (\$633.23), 04-215-17-037-076-328 (\$21,677.14), 04-215-19-021-076-345 (\$110,614.15), 04-215-19-021-076-347 (\$63,935.60), 04-215-19-021-076-353 (\$175,000.00), 04-215-19-021-076-356 (\$150,000.00), 04-215-20-023-076-302 (\$2,911,637.53), 04-215-21-021-076-328 (\$150,064.64), and 04-215-21-021-076-329 (\$90,132.33) as certified by Sandra Webb, Chief Financial Officer; and

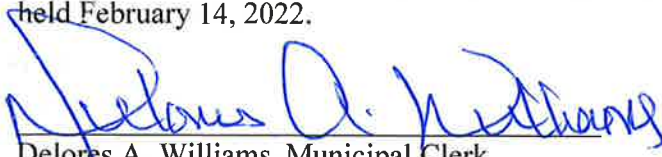
**WHEREAS**, Princeton wishes to award a contract to undertake and complete said work to the aforementioned lowest responsible bidder.

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

1. The Mayor and Clerk are hereby authorized and directed to enter into an agreement with Earle Asphalt Company for a sum not to exceed \$4,474,913.13 to undertake and complete Roadway Improvements to Witherspoon Street, all in accordance with the terms and conditions with the Bid Documents which are on file in the office of the Clerk.
2. The award of this contract is being made subject to the review, approval and concurrence by the New Jersey Department of Transportation in accordance with said Department's Municipal Aid Grant Program.
3. A certified true copy of this Resolution shall be furnished upon its adoption to the New Jersey Department of Transportation and Earle Asphalt Company.

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Ms. Pirone Lambros		X	X		X			
Ms. Niedergang		X		X	X			
Mr. Cohen		X			X			
Ms. Fraga		X			X			
Ms. Sacks		X			X			
Mr. Newlin		X			X			
Mayor Freda		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held February 14, 2022.



Delores A. Williams, Municipal Clerk

**ATTACHMENTS:**

- Memo Recommending Bid Award (DOCX)
- Construction Agreement (DOCX)
- Bid Recommendation\_02\_09\_2022 (PDF)
- BID TABULATION\_2.09.2022 (PDF)