



**RESOLUTION 22-222**

**Resolution of Mayor and Council of Princeton Rejecting Bids for 2022 Tree Removal Project and Authorizing Re-Advertising for Bids**

**WHEREAS**, after proper notice and advertisement pursuant to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., on June 16, 2022 the Municipality of Princeton received three (3) bids for the “2022 Tree Removal Project,” and as follows:

1. Omar and Justins Inc. t/a  
Justin Tree Services & Lawn Care \$138,700.00
2. US Athletic Fields, Inc. \$169,105.00
3. Dom’s Lawnmaker, Inc. \$250,390.00; and

**WHEREAS**, the bid submitted by the first bidder Justin Tree Services & Lawn Care omitted a Consent of Surety, which was a mandatory, non-waivable requirement for bidding, which renders this bid non-conforming; and

**WHEREAS**, the second bidder US Athletic Fields, Inc. did not include its EMR (Experience Modification Rate), which was a mandatory, non-waivable requirement for bidding, which renders this bid non-conforming; and

**WHEREAS**, the third bidder Dom’s Lawnmaker, Inc. did not submit documentation evidencing that it is a New Jersey licensed tree expert or New Jersey licensed tree operator, which was a mandatory, non-waivable requirement for bidding, which renders this bid non-conforming; and

**WHEREAS**, even if the bid submitted by Dom’s Lawnmaker, Inc. was a conforming bid, its bid amount substantially exceeds Princeton’s estimates and appropriation for the goods or services; and

**WHEREAS**, the Local Public Contracts Law requires the rejection of unresponsive and nonconforming bids and bids which contain material, non-waivable defects; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-13.2a. and b. authorizes the rejection of bids which substantially exceed the cost estimates and appropriation for the goods and services.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Municipality of Princeton, County of Mercer, State of New Jersey, as follows:

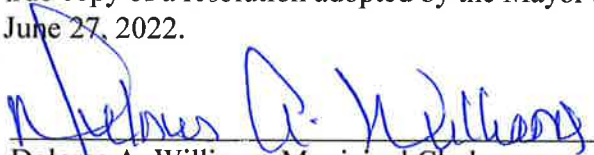
1. The three (3) bids received on June 16, 2022 for the “2022 Tree Removal Project” are hereby rejected on the basis that the three bids are nonconforming and unresponsive, for the reasons set forth in the “Whereas” clauses.
2. The bid submitted by Dom’s Lawnmaker, Inc. is also rejected on the basis that it

substantially exceeds the municipality’s cost estimates and appropriation for the goods and services, as permitted by N.J.S.A. 40A:11-13.2a. and b.

3. Municipal staff is hereby authorized and directed to update the bidding documents as may be necessary for the 2022 Tree Removal Project and re-advertise same.

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Ms. Pirone Lambros		X		X	X			
Ms. Niedergang	X							
Mr. Cohen		X			X			
Ms. Fraga	X							
Ms. Sacks		X			X			
Mr. Newlin		X	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 June 27, 2022.



Delores A. Williams, Municipal Clerk