

RESOLUTION

21-523

No. _____

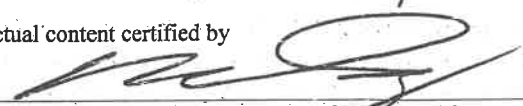
Approved as to Form and Legality


Wesley Bridges, City Attorney

Date of Adoption

November 9, 2021

Factual content certified by


Mark Lavenberg, Director, Department of Water and Sewer

Councilman /woman _____

BLAKELEY

presents the following Resolution:

**RESOLUTION AUTHORIZING A CONTRACT WITH
DEWCON, INC. FOR EMERGENCY WORK PERFORMED FOR
THE CITY OF TRENTON, TRENTON WATER WORKS,
IN THE AMOUNT OF \$128,783.22**

WHEREAS, on July 7, 2021, the City of Trenton, Department of Water and Sewer ("Trenton Water Works" or "TWW") determined that there was an immediate need to repair a bypass valve on a 30-inch main located in the basement of Pennington Road gatehouse (See Exhibit A, Emergency Procurement Report; Exhibit B, Director's Certification of Emergency); and

WHEREAS, it was determined that the bypass valve on the 30-inch main had failed, and was leaking at an estimated rate of 1,000,000 gallons per day, placing the integrity of the building at risk; and

WHEREAS, due to the severity of the leak, and its emergent nature, TWW hired Dewcon to assist with the preparation and repair work that needed to be done; and

WHEREAS, Dewcon had the necessary experience and expertise to perform the work and provided the required supervision, labor, material and equipment; and

WHEREAS, Dewcon excavated a hole over the 36-inch main in preparation of the work to be done by its subcontractor, Garrison Enterprises, Inc., and Garrison installed a 36-inch line stop that enabled Dewcon to make the necessary repairs on the 30-inch gatehouse main; and

WHEREAS, Dewcon assisted Garrison with the installation of the line stop, removed and replaced 6-inch flanges in the basement in order to stop the leak, and restored the work area to its original condition.

WHEREAS, the restoration work was completed on July 19, 2021; and

WHEREAS, the amount of payment due the contractor is \$128,783.22 (See Exhibit C, Invoice), and funds have been certified to be available in TY' 2021 account # 2-05-55-5500-835-004; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-6 provides that "[a]ny contract may be negotiated or awarded . . . without public advertising for bids and bidding therefor, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety and welfare requires the immediate . . . performance of services," subject to the award being made pursuant to the manner set forth therein; and

AGREEMENT
RESOLUTION # 21-523
EMERGENCY PAYMENT FOR EMERGENCY WORK PERFORMED TO REPAIR A BYPASS VALVE ON A
30-INCH MAIN LOCATED IN THE BASEMENT OF PENNINGTON ROAD GATEHOUSE FOR THE CITY OF
TRENTON, WATER WORKS
ISSUED TO DEWCON, INC.

THE AGREEMENT made this 10TH day of NOVEMBER 2021, by and between the **CITY OF TRENTON**, a municipal corporation, of the State of New Jersey, with principal offices located at **319 EAST STATE STREET, TRENTON, NEW JERSEY 08608** (hereinafter the "City") and **DEWCON, INC., P.O. BOX 439, BASKING RIDGE, NEW JERSEY 07920** (hereinafter "CONTRACTOR")

WHEREAS, on July 7, 2021, the City of Trenton, Department of Water and Sewer ("Trenton Water Works" or "TWW") determined that there was an immediate need to repair a bypass valve on a 30-inch main located in the basement of Pennington Road gatehouse (See Exhibit A, Emergency Procurement Report; Exhibit B, Director's Certification of Emergency); and

WHEREAS, it was determined that the bypass valve on the 30-inch main had failed, and was leaking at an estimated rate of 1,000,000 gallons per day, placing the integrity of the building at risk; and

WHEREAS, due the severity of the leak, and its emergent nature, TWW hired Dewcon, Inc., P.O. Box 439, Basking Ridge, New Jersey 07920 to assist with reparation and repair work that needed to be done; and

WHEREAS, Dewcon, Inc., P.O. Box 439, Basking Ridge, New Jersey 07920 had the necessary experience and expertise to perform the work and provide the required supervision, labor, material and equipment; and

WHEREAS, Dewcon, Inc., P.O. Box 439, Basking Ridge, New Jersey 07920 excavated a hole over the 36-inch main in preparation of the work to be done by its subcontractor, Garrison Enterprises, Ins., and Garrison installed a 36-inch line stop that enabled Dewcon to make the necessary repairs on the 30-inch gatehouse main; and

WHEREAS, Dewcon, Inc., P.O. Box 439, Basking Ridge, New Jersey 07920 assisted Garrison with the installation of the line stop, removed and replaced 6-inch flanges in the basement in order to stop the leak, and restored the work area to its original condition; and

WHEREAS, the restoration work was completed on July 19, 2021; and

WHEREAS, the Local Public Contract Law at N.J.S.A. 40A:11-6 provides that "[a]ny contract may be negotiated or awarded... without public advertising for bids and bidding therefore, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety and welfare requires the immediate...performance of services", subject to the award being made pursuant to the manner set forth therein; and

NOW THEREFORE, the parties mutually agree as follows:

1. The amount of the agreement shall be in an amount not to exceed \$128,783.22 for the City of Trenton, Department of Water and Sewer, Water Works.
2. The Mayor is hereby authorized to execute an emergency payment in an amount not to exceed \$128,783.22 to Dewcon, Inc., P.O. Box 439, Basking Ridge, New Jersey 07920 for repair a bypass valve on a 30-inch main located in the basement of Pennington Road gatehouse for the City of Trenton, Department of Water and Sewer, Water Works for the said purposes in the manner prescribed by law.

IN WITNESS WHEREOF, the parties have hereunto set their bands and seals the day and year first above written.

ATTEST:

CITY OF TRENTON

Witness:



Brandon L. Garcia, RMC
MUNICIPAL CLERK



W. REED GUSCIORA
MAYOR



DATE



DATE


DEWCON, INC.
P.O. BOX 439
BASKING RIDGE, NEW JERSEY 07920