

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

**DATE** November 4, 2020

**NUMBER** 429-2020

**TITLE:**

**(AMENDED)**

**A RESOLUTION AUTHORIZING A CONTRACT TO ALLAN BRITWAY ELECTRICAL UTILITY CONTRACTORS, INC., 130 ALGONQUIN PARKWAY, WHIPPANY, NEW JERSEY 07981 TO PROVIDE TRAFFIC SIGNAL MAINTENANCE & REPAIRS THROUGH THE MCCPC #37 IN THE AMOUNT NOT TO EXCEED \$62,000.00 OVER THE TERM OF THE AGREEMENT.**

**WHEREAS**, the City of Orange Township desires to retain a company to provide traffic signal maintenance and repairs; and

**WHEREAS**, the City of Orange Township entered into a cooperative pricing agreement with the Morris County Cooperative Pricing Council; and

**WHEREAS**, the City of Orange Township wishes to retain Allan Briteway Electrical Utility Contractors, Inc. to provide traffic signal maintenance under the MCCPC#37, a copy of which is attached hereto and made part hereof; and

**WHEREAS**, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto and made part hereof, certifying that monies are available in the Account No. 0-01-26-290-000-513 (\$20,000.00) to cover November 1, 2020 through December 31, 2020, and \$42,000.00 will be subject to budget appropriation to cover January 1, 2021 through June 30, 2021.

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers of the City of Orange Township are hereby authorized to enter into an agreement with Allan Briteway Electrical Utility Contractors, Inc. for traffic signal maintenance and repairs in an amount not to exceed \$62,000.00, subject to budget appropriations for 2021.

**Adopted: November 4, 2020**

\_\_\_\_\_  
Joyce L. Lanier  
City Clerk

\_\_\_\_\_  
Kerry J. Coley  
Council President

*Judith Parchment*  
\_\_\_\_\_  
CITY ATTORNEY

CITY OF ORANGE TOWNSHIP  
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS

I, Chief Financial Officer for the City of Orange Township, do hereby confirm that, based on the experience record of the prior year, and based on the Quote, RFP, or RFQ bid results, "extraordinary unspecifiable services" without competitive bids or inclusion in a cooperative which the City has approved, and contingent upon Council approval and inclusion of said item in the Temporary Budget and the adopted 2020, and 2021 Budgets, there will be sufficient funds to contract with:

Vendor Name: Allan Briteway Electrical Utility  
Address: 130 Algonquin Parkway  
City: Whippany  
State: New Jersey  
Zip Code: 07981


Purpose: Provide traffic signal maintenance  
11/01/2020-06/30/2021

Fund:	Current Fund	
Line Description:	STR - Traffic Signal Repairs	
Budget years:	2020	2021
Account Numbers(s):	0-01-26-290-000-513	
	20,000.00	42,000.00

Vendor ID: ALLAN005

holding PO Number: 20-01710

Amount not to exceed: \$ 62,000.00

Division Head	Date
	11-04-2020
Chief Financial Officer	Date

**City of Orange Township  
Traffic Signals**

There are a total 26 City-owned and maintained traffic signals. Among them 19 are steady traffic signals, 7 are flashing signals, as listed below:

**Steady Traffic Signals:**

<b>No.</b>	<b>Intersection</b>	<b>Type of Controller</b>
1	Tremont Ave & S. Center St.	Electronic
2	Tremont Ave & Berkeley Ave	Electronic
3	Tremont Ave & Lincoln Ave	Electronic
4	Tremont Ave & Valley Rd	Electronic
5	Henry St. & S. Essex Ave	Electromechanical
6	Main St & Oakwood Ave	Electromechanical
7	Main St & Park St	Electromechanical
8	Main St & Canfield St	Electromechanical
9	Main St & N.(S) Center St	Electromechanical
10	Main St & N. (S) Day St	Electromechanical
11	Main St & N. (S) Essex Ave	Electromechanical
12	Main St & Cleveland St	Electronic
13	Main St & Lincoln Ave	Electronic
14	Cleveland St & White St	Electromechanical
15	Washington St & N. Day St	Electronic
16	Washington St & Cleveland St	Electromechanical
17	Thomas Blvd & Springdale Ave	Electronic
18	Thomas Blvd & Dodd St	Electronic
19	Thomas Blvd & Hayward St	Electronic

**Flashing Signals:**

<b>No.</b>	<b>Intersection</b>	<b>Type of Controller</b>
1	Heywood Ave & Mosswood Ave	Electromechanical
2	Heywood Ave & Berkeley Ave	Electromechanical
3	Tremont Ave & Mosswood Ave	Electromechanical
4	Highland Ave & Berkeley Ave	Electromechanical
5	S. Jefferson St & Glebe St	Electromechanical
6	Lincoln Ave & Jackson St	Electromechanical
7	Hillyer St & William St	Electromechanical

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

DATE October 18, 2016

NUMBER 314-2016

**TITLE: A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2021.**

**WHEREAS**, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and,


**WHEREAS**, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and,


**WHEREAS**, the City of Orange Township desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency for the membership renewal with the MCCPC for the period of October 1, 2016 through September 30, 2021.

**BE IT RESOLVED**, by the City of Orange Township, County of Essex, State of New Jersey as follows:

1. The proper officers of the City of Orange Township hereby authorizes the execution of an agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2016 pursuant to N.J.S.A. 40A:11-11(5). Said agreement is to renew the membership of the MCCPC for a five (5) year period from October 1, 2016 through September 30, 2021.
2. The City of Orange Township, Municipal Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate City of Orange Township officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

Adopted: October 18, 2016

  
Joyce L. Hanier  
City Clerk

  
Donna K. Williams  
Council President



**NOTIFICATION OF AWARD**

**CONTRACT #37: TRAFFIC SIGNAL MAINTENANCE & REPAIRS**

**Contract Period: Two Years: August 1, 2020 – June 30, 2021**

**When ordering please note:**

- "MCCPC Identifier: 6MOCCP" and "MCCPC Contract #37" should appear on all purchase orders.
- Prices are to remain firm for the term of the contract with no exceptions.
- Vendor shall be available 24 hours a day, 7 days a week (including holidays)
- Work to be performed in accordance with the Preventive Maintenance checklist following pricing below.
- Please refer to technical specifications for detailed information on services to be provided under this contract. Technical specifications can be found on the website ([www.mccpc.org](http://www.mccpc.org)) or by emailing the MCCPC ([jlambert@randolphnj.org](mailto:jlambert@randolphnj.org)).

**Vendor:** Allan Briteway Electrical Utility Contractors, Inc.

**Address:** 130 Algonquin Parkway, Whippany, New Jersey 07981

**Contact Person:** William Brown

**Title:** Vice President

**Tel #:** 973-295-5600

**Fax #:** 973-781-1744

**E-Mail:** [wbrown@allanbritewayutility.com](mailto:wbrown@allanbritewayutility.com)

**Response Time:** 24 hours (non-emergency); within 2 hours (emergency)

CAT. I: MAINTENANCE/REPAIRS OF TRAFFIC SIGNALS	Unit Price
1. Preventive Maintenance Contract (Annual Cost Per Intersection); Includes all items listed in "Attachment I Checklist" – found in the bid specifications (without the testing of "LED" Modules):	\$200.00 / each
a. Preventive Maintenance Contract (Annual Cost Per Intersection); Includes all items listed in "Attachment I Checklist" – found in the bid specifications (to include the testing of "LED" Modules):	\$200.00 / each
b. The testing of "LED modules along (not to be included in the Preventive Maintenance Contract). Cost per traffic signal head consisting of (1) red, (1) yellow and (1) green LED.	\$1.00 / each
2. Repairs (hourly cost per man hour, Monday through Friday, first 8 hours of normal workday):	\$185.00 / hour
3. Repairs (hourly cost per man hour, overtime, after first 8 hours, Monday through Friday and Saturdays):	\$195.00 / hour
4. Repairs (hourly cost per man hour, Sundays and Holidays):	\$195.00 / hour
5. Percentage markup above wholesale cost of parts used for repairs:	25%

CAT. II: EQUIPMENT COSTS	Unit Price
1. Use of 28 foot - 32 foot reach bucket truck (hourly rate):	\$40.00 / hour

CAT. II: EQUIPMENT COSTS	Unit Price
2. Use of 40 foot - 50 foot reach bucket truck (hourly rate) for knockdowns only:	\$20.00 / hour
3. Rental cost of temporary traffic controllers (weekly):	\$0.01 / week

## ANNUAL INSPECTION CHECKLIST FOR PREVENTATIVE MAINTENANCE CONTRACT

The following preventative maintenance items will be performed on an annual basis for each intersection.

### Vehicular & Pedestrian Signal Heads

1. Clean and inspect all visors & lenses.
2. Inspect traffic signal housing for cracks or damage.
3. Check terminal block connections.
4. Check gaskets and mounting hardware; re-tighten as necessary.
5. Check head alignment relative to lanes they serve.
6. Check safety chains.
7. Re-lamp all incandescent bulbs.

### Pedestrian Pushbuttons

1. Check for tightness.
2. Verify operation.
3. Check accompanying sign; repair or replace as necessary.

### Signal Poles and Arms

1. Check anchorage and all connection hardware.
2. Check tightness of all mounting and connection hardware.
3. Re-tighten bolt covers.

### Span Wire Signal Installations

1. Check condition of strain vises, if applicable.
2. Visually inspect each upper and lower tether span wire for damage or deterioration.
3. Visually inspect each upper and lower tether span wire for excess sag. Inspect all connecting span wire hardware; tighten as necessary.
4. Inspect guy anchors for proper attachment and/or damage.
5. Visually inspect pole condition for cracks and/or checks (wood poles); note any deficiencies.

### Conduit System and Junction Boxes

1. Check grounding bushings on rigid metallic conduit.
2. Inspect junction box covers for cracks or misalignment.
3. Check proper seating of junction and splice box covers.
4. Check grounding; secure all straps and rod connections.

### Vehicle Detection – Loops

1. Verify operation of areas of detection.
2. Visually inspect all visual loops: photograph and document damaged areas of detection.
3. Check loop detector splices.
4. Check and retune detector amplifiers as needed to obtain proper operation. Perform testing at the cabinet using ASTI Model #ALSA-1250 or HILT-9000 tester or equivalent; record test results.

### Vehicle Detection – Microwave

1. Verify position of detector for area(s) of detection; re-position if necessary.
2. Remove any branches or obstructions from field of view.
3. Check and re-tighten all mounting hardware.
4. Check wiring connections.
5. Verify operation of the central unit at the cabinet.

### **Vehicle Detection – Cameras**

1. Verify operation of areas of detection.
2. Check video camera positioning.
3. Check video camera mounting hardware.
4. Verify operation of video processor at cabinet.

### **Traffic Signal Cable**

1. Check all splices in each traffic signal transformer base; re-splice as necessary to provide a waterproof connection. **STANDARD WIRENUT WITH TAPE SPLICES ARE NOT ACCEPTABLE.**
2. Visually check the condition of the traffic signal cable for dry rot, nicks, cuts or other damage to the outer jacket insulation.
3. Check all overhead cables and connections

### **Overhead Street Name Signs**

1. Clean sign faces.
2. Check mounting hardware; tighten as necessary.

### **Uninterruptible Power Source (Battery Back-Up), if Installed**

1. Verify automatic transfer switch operation.
2. Verify incoming line voltage.
3. Verify DC output to batteries.
4. Verify AC output to inverter.
5. Check electrical connections.
6. Test system via simulated power outage at cabinet.

### **Controller and Meter Cabinets**

1. Vacuum cabinet interior.
2. Change cabinet filter.
3. Check operation of fan and thermostat.
4. Check and tighten all terminal connections including line filter, surge protector and mercury switch.
5. Verify operation of detector panel relays.
6. Check police functions.
7. Lubricate and adjust hinges and locks.
8. Check cabinet door gaskets for tight seal.
9. Check and tighten neutral and grounding bus.
10. Check conditioning of incoming line voltage.
11. Test circuit breakers.
12. Check GFCI receptacle on power distribution panel.
13. Seal all conduits.

### **Controller Assembly**

1. Check all conflict monitors by actual conflict. The contractor shall utilize an ATSI Model #PCMT 2600 conflict monitor tester or equivalent to certify proper operation of the conflict monitor (to be performed only by an IMSA Level II or higher signal electrician). Provide documentation of all tests performed that include the make, model and serial unit of each unit tested.
2. Run internal diagnostics on the controller, if unit capable.
3. Verify input timing versus approved timing.
4. Note and record controller timing and parameters. Check Yellow, all-Red and Pedestrian Clearances and compare to required duration per chapter 4D of the current MUTCD.
5. Verify vehicle and pedestrian calls on detector panel.
6. Check pre-emption function for firehouses.
7. Check programming and operation of time clocks (school zone flashers only).
8. Verify correct date, time and DST function for controller (intersections only).
9. Verify existing cycles, splits and offsets for coordinated signals, if programmed.

10. Verify existing day and week plans, if programmed.

**LED Testing for Existing Vehicular Signal Modules (If and Where directed)**

1. Inspect LED modules for cracks or other visible signs of damage.
2. Test all existing LED signal full ball and arrow modules for luminous intensity and photometric brightness using handheld Spectra Candela III Traffic Signal. Light Tester or equivalent.
3. Note and record results of field testing.
4. Compare field readings with ITE Specification, Vehicle Traffic Control Signal Heads: Light Emitting Diode (LED) Circular Signal Supplement.

A report signed and sealed by an Engineer meeting the qualifications at the beginning of this section shall be submitted to the member agency containing an itemized list of all work and materials performed, conflict monitor test results, controller timing printouts, results of red and yellow intervals, results of pedestrian clearance intervals. Report shall also include a list of deficiencies found (if any), which indicates any signals, signs and pavement markings that are missing or do not conform to the currently approved drawings and/or design standards.

The price quoted per location in the proposal shall include all labor, equipment, vehicles and material necessary to complete the above maintenance items. In addition, the price quoted shall include all expendable items such as bulbs, cabinet filters, fans, thermostats, miscellaneous connectors, grounding lugs and duct seal.



07/14/14

Taxpayer Identification# 485-024-277/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione  
Director  
New Jersey Division of Revenue

STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY  
DIVISION OF REVENUE  
PO BOX 252  
TRENTON, NJ 08646-0252

TAXPAYER NAME:

ALLAN BRITEWAY ELECTRICAL UTILITY CONTRA

TRADE NAME:

ADDRESS:

130 ALGONQUIN PARKWAY  
WHIPPANY NJ 07981

SEQUENCE NUMBER:

1997780

EFFECTIVE DATE:

07/14/14

ISSUANCE DATE:

07/14/14



Director  
New Jersey Division of Revenue

FORM-BRC  
104-001-02000000

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

## Request for Taxpayer Identification Number and Certification

**Give Form to the requester. Do not send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.

<b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <div style="text-align: center; font-size: 1.2em;"><b>Allan Briteway Electrical Utility Contractors, Inc</b></div>	
<b>2</b> Business name/disregarded entity name, if different from above	
<b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.  <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input checked="" type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small>  <input type="checkbox"/> Other (see instructions) ▶ _____	<b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <small>(Applies to accounts maintained outside the U.S.)</small>
<b>5</b> Address (number, street, and apt. or suite no.) See instructions. <div style="text-align: center; font-size: 1.2em;"><b>130 Algonquin Parkway</b></div>	<b>Requester's name and address (optional)</b>
<b>6</b> City, state, and ZIP code <div style="text-align: center; font-size: 1.2em;"><b>Whippany, NJ 07981</b></div>	
<b>7</b> List account number(s) here (optional)	

<b>Part I Taxpayer Identification Number (TIN)</b> Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> , later.  <small>Note: If the account is in more than one name, see the instructions for line 1. Also see <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter.</small>	
<b>Social security number</b> <div style="border: 1px solid black; padding: 5px; display: flex; justify-content: space-between;"> <span style="border: 1px solid black; width: 20px; height: 20px;"></span> <span style="border: 1px solid black; width: 20px; height: 20px;"></span> <span style="border: 1px solid black; width: 20px; height: 20px;"></span> <span style="border: 1px solid black; width: 20px; height: 20px;"></span> <span style="border: 1px solid black; width: 20px; height: 20px;"></span> <span style="border: 1px solid black; width: 20px; height: 20px;"></span> <span style="border: 1px solid black; width: 20px; height: 20px;"></span> <span style="border: 1px solid black; width: 20px; height: 20px;"></span> <span style="border: 1px solid black; width: 20px; height: 20px;"></span> <span style="border: 1px solid black; width: 20px; height: 20px;"></span> </div>	<b>or</b> <b>Employer identification number</b> <div style="border: 1px solid black; padding: 5px; display: flex; justify-content: space-between;"> <span style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">4</span> <span style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">6</span> <span style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">-</span> <span style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">5</span> <span style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">0</span> <span style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">2</span> <span style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">4</span> <span style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">2</span> <span style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">7</span> <span style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">7</span> </div>

<b>Part II Certification</b> Under penalties of perjury, I certify that:	
<ol style="list-style-type: none"> <li>1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and</li> <li>2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and</li> <li>3. I am a U.S. citizen or other U.S. person (defined below); and</li> <li>4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.</li> </ol>	
<b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.	

<b>Sign Here</b>	Signature of U.S. person ▶ <i>Shari Carter</i>	Date ▶ <b>06/01/2020</b>
------------------	--	--------------------------

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

# AGREEMENT

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2020, between the City of Orange Township and **Allan Briteway Electrical Utility Contractors, Inc., 130 Algonquin Parkway, Whippany, New Jersey 07981.**

**WHEREAS**, the City of Orange Township wishes to retain a firm for the purpose of **traffic signal maintenance and repairs under the MCCPC #37** for the City of Orange Township, as specifically set forth in the attached proposal in the amount not to exceed **\$62,000.00** (\$20,000.00 to cover November 1, 2020 through December 31, 2020; \$42,000.00 to cover January 1 2021 through June 30, 2021).

**WHEREAS**, the City of Orange Township wishes to retain **Allan Briteway Electrical Utility Contractors, Inc.** with offices located at **130 Algonquin Parkway, Whippany, New Jersey 07981.**

**WHEREAS**, this firm and the individuals of the firm are to be retained pursuant to the Agreement as specified under the **MCCPC #37**; and

**WHEREAS**, the City Council of the City of Orange Township has, by **Resolution No. \_\_\_\_\_** dated \_\_\_\_\_ 2020, authorizes **Allan Briteway Electrical Utility Contractors, Inc.** for the purpose of **traffic signal maintenance and repairs**, as specified in the attached proposal.

**NOW, THEREFORE, BE IT AGREED** by and between the parties, for the mutual convenient set forth herein below:

1. **Allan Briteway Electrical Utility Contractors, Inc.** is hereby contracted by the City of Orange Township to provide services as specified in the attached proposal.

2. This agreement shall be effective commencing on **November 1, 2020** and terminating on **June 30, 2021**.
3. This agreement shall not be assigned nor shall any duties under this agreement be delegated by **Allan Briteway Electrical Utility Contractors, Inc.** without prior written consent of the City.
4. The validity of this agreement and its terms or provisions, as well as the rights and duties of the contracting parties, shall be governed by and construed in accordance with the laws of the State of New Jersey.
5. This agreement shall be binding on and inure to the benefit of the contracting parties and their respective heirs, executors, administrators, legal representatives, successors, and assigns when not expressly prohibited by this agreement.
6. In case any one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision of it this agreement shall for any reason be held to be invalid, illegal, or unenforceable provision had never been contained in it.
7. This agreement constitutes the sole agreement of the contracting parties and supersedes any prior understandings or written or oral agreements between the parties respecting its subject matter.
8. All notices and other communications shall be sent by certified mail, return receipt requested, and shall be deemed to have been given when sent to the parties at their respective addresses as set forth above, unless a different

address has been selected after the execution of this agreement and has been duly communicated to the party giving notice.

9. The City may terminate this Agreement upon three days notice with **Allan Briteway Electrical Utility Contractors, Inc.** In the event that this agreement is deemed to be terminated, the City shall pay **Allan Briteway Electrical Utility Contractos, Inc.** for those services provided as of the effective date of termination. This agreement is final and cannot be amended, supplemented, changed or modified without said being in writing.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

CITY OF ORANGE TOWNSHIP:

\_\_\_\_\_  
Joyce L. Lanier      Date  
City Clerk

\_\_\_\_\_  
Dwayne D. Warren, Esq.      Date  
Mayor

ATTEST:

Allan Briteway Electrical Utility  
Contractors, Inc.  
130 Algonquin Parkway  
Whippany, New Jersey 07981

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature      Date

\_\_\_\_\_  
Signature      Date

Approved as to Form and Sufficiency

\_\_\_\_\_  
Gracia R. Montilus      Date  
City Attorney