

**CITY COUNCIL**

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

**DATE** May 7, 2024

**NUMBER** 270-2024

**TITLE: A RESOLUTION RESCINDING RESOLUTION #181-2021 ADOPTED MARCH 6, 2021 AUTHORIZING THE AWARDED OF A CONTRACT FOR THE DPW YARD FACILITY AND SITE IMPROVEMENTS TO MBT CONTRACTING, LLC, 63 BEAVER BROOK ROAD, SUITE 104C, LINCOLN PARK, NEW JERSEY 07035 IN AN AMOUNT NOT TO EXCEED \$1,540,305.00**

**WHEREAS**, Resolution #181-2021- authorized the execution of a contract for DPW Yard Facility and Site Improvements to MBT Contracting, LLC, a copy of which is attached hereto and made part hereof; and

**WHEREAS**, immediately after MBT Contracting, LLC was awarded the contract, they advised the City they would not be able to complete the contract within the budget they submitted; and

**WHEREAS**, the City never paid any monies to MBT Contracting, LLC and is still in possession of the budgeted funds; and

**WHEREAS**, the money budgeted for Resolution #181-2021 is still in possession of the City, but a resolution rescinding Resolution #181-2021 is required to allow the City to use the funds to pay another prospective bidder or contractor to complete the job.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP**, that Resolution # 181-2021 is rescinded.

**Adopted: May 7, 2024**

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**Joyce L. Lanier**  
City Clerk

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**Tency Eason**  
Council President

**CITY COUNCIL****The City of Orange Township, New Jersey**DATE April 6, 2021NUMBER 181-2021

**TITLE:** A RESOLUTION AUTHORIZING THE AWARDING OF A CONTRACT FOR THE DPW YARD FACILITY AND SITE IMPROVEMNTS TO MBT CONTRACTING, LLC, 63 BEAVER BROOK ROAD, SUITE 104C, LINCOLN PARK, NEW JERSEY 07035 IN THE AMOUNT NOT TO EXCEED \$1,540,305.00.

**WHEREAS**, the City of Orange Township did duly advertise on October 21, 2020 for public bids for the DPW Yard Facility and Site Improvements; and

**WHEREAS**, on November 17, 2020 the City of Orange Township received seven (7) public bids pursuant to the plans and specifications furnished prospective bidders, from the following:

Bidder	Base Bid	Alternate A1	Total Bid
MBT Contracting, LLC Lincoln Park, New Jersey	\$1,392,725.00	\$147,580.00	\$1,540,305.00
Drill Construction West Orange, New Jersey	\$1,408,965.00	\$184,025.00	\$1,592,990.00
ZN Construction, LLC Elmwood Park, New Jersey	\$1,415,065.00	\$217,350.00	\$1,632,415.00
Reivax Contracting Corp. Bridgewater, New Jersey	\$1,984,865.00	\$685,670.00	\$2,670,535.00
APS Contracting, Inc. Paterson, New Jersey	\$1,442,150.00	\$211,855.00	\$1,654,005.00
Daskal, LLC Garfield, New Jersey	\$1,496,424.00	\$244,202.75	\$1,740,626.75
Grade Construction Paterson, New Jersey	\$1,832,049.15	\$207,686.21	\$2,039,735.36

**WHEREAS**, it is the recommendation of Remington & Vernick Engineers, Engineering Consultant and the Director of Public Works/Engineering that the contract be awarded; and

**WHEREAS**, the City Attorney, did duly examine and study each and every bid submitted and recommends that a contract be awarded to the lowest responsible bidder, pursuant to said specifications and said limits, by the following company:

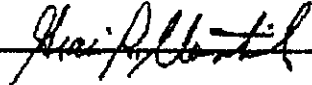
**COMPANY:****TOTAL BASE BID W/ ATL. 1:**

MBT Contracting, LLC

\$1,540,305.00

63 Beaver Brook Road, Suite 104C  
Lincoln Park, New Jersey 07035

**WHEREAS**, the aforementioned MBT Contracting, LLC has furnished the City of Orange Township, with a Ten Percent (10%) Stockholder Affidavit in accordance with Assembly Bill OCR-A-22; and

  
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**WHEREAS**, MBT Contracting, LLC has completed and submitted a Business Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the City in the previous one (1) year, except that the year 2005 is an exception to this requirement as the one year immediately proceeding the effective date of the Law, as that term is defined below, and that the contract will prohibit MBT Contracting, LLC from making any reportable contributions throughout the term of the contract; and,


**WHEREAS**, all bid prices extended until March 2, 2021, a copy of such agreement which is attached hereto and made a part hereof:

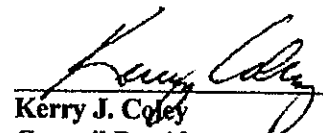
**WHEREAS**, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, copy of which is attached hereto and made a part hereof as it set forth in length herein, certifying that monies are available in Account #C-04-19-052-A00-002 (\$1,223,870.11), Account #C04-19-052-C00-002 (\$208,816.25), Account #C-04-19-052-D00-002 (\$1,266.13) and Account #C-04-19-052-D00-002 (\$106,581.25).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Orange Township, New Jersey that a contract be awarded for the DPW Yard Facility and Site Improvements to MBT Contracting, LLC, the aforesaid lowest responsive bidder, in the amount not to exceed \$1,540,305.00

**BE IT FURTHER RESOLVED**, that the proper officers of the City of Orange Township, be and they are hereby authorized to return to the unsuccessful bidders, the certified checks, cashier's checks or bid bonds, evidencing their guarantee in accordance with the provisions of N.J.S.A. 40A:11-24.

**Adopted: April 6, 2021**

  
Joyce L. Lanier  
City Clerk

  
Kerry J. Coley  
Council President

