

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK  
AUTHORIZING AN EMERGENCY CONTRACT WITH  
J. FLETCHER CREAMER AND SON, INC. FOR SEWER MAIN  
REPLACEMENT REPAIRS - \$179,126.04**

**WHEREAS**, the Department of Public Works Sewer Division is responsible for providing maintenance and repairs to the sanitary sewer system; and

**WHEREAS**, May 5<sup>th</sup> 2014, the Sewer Department officials responded to a call from a resident on Silver Hollow stating there was a sinkhole in their backyard adjacent to the municipal 24' sewer easement; and

**WHEREAS**, the Township has a contract in place with J. Fletcher Creamer and Son (101 East Broadway, Hackensack, NJ 07601) (BID13004 5/13-4/15) to provide maintenance and repairs that are outside the scope of being performed in-house; and

**WHEREAS**, J. Fletcher Creamer and Son was called to the site to complete a spot repair on the sinkhole and 24" gravity pipeline under the existing contract that totaled \$15,439.70; and

**WHEREAS**, Sewer Department officials reported their findings with Acting Director Eric Chaszar to Administrator Rob Lombard noting that this gravity pipeline is a direct continuation of the municipal force main servicing the North portion of Route 130 from Washington Place to Garner Road area requiring immediate review and attention; and

**WHEREAS**, in June Sewer Department officials CCTV'd the main to review the extent of area in disrepair and determine the length of the main to be replaced; and

**WHEREAS**, July 8, 2014, the Sewer Department officials responded to a call from the same resident that a second breakdown of the gravity main had occurred; and

**WHEREAS**, the break in the pipeline had the potential to disrupt flow which would cause an interruption in service to residents and commercial establishments in the area. Such blockages would also restrict the function of the connecting trunk sewer lines which include metering stations for sanitary flows; and

**WHEREAS**, due to the nature of the event immediate action was necessary and Eric Chaszar, the Acting Director of the Department of Public Works, declared an emergency July 9, 2014 under N.J.S.A. 40A:11-6; and

**WHEREAS**, J. Fletcher Creamer and Son, Inc. was requested to respond to the emergency to replace the broken 350' section from manhole to manhole, also replacing one of the connecting manholes; and

**WHEREAS**, compensation for such goods and services falls outside the existing contract and is based upon invoicing submitted totaling \$179,126.04; and

**WHEREAS**, the Chief Financial Officer has certified that funds in the amount of \$179,126.04 are available for this purpose in existing Sewer Capital Ordinance 12-15 account C-08-55-C13-121-101; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-6) states that any contract may be negotiated or awarded without public advertising for bids when an emergency affecting the public health, safety and welfare occurs.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor is hereby authorized to execute and the Township Clerk to witness, an agreement with J. Fletcher Creamer and Son, Inc. that provided for immediate remediation of the sewer main in the amount of \$179,126.04; and

**BE IT FURTHER RESOLVED** that this contract is awarded without competitive bidding as an "emergency contract" under the provisions of the Local Public contracts Law N.J.S.A. 40A:11-6 since this contract is for services that were immediate and necessary and it was not possible or necessary to obtain competitive bidding.