

TOWNSHIP OF LUMBERTON

Resolution 2015-04-083

RESOLUTION REJECTING THE APPARENT LOWEST BIDDER AND AWARDING A CONTRACT FOR LANDSCAPING MAINTENANCE TO THE LOWEST RESPONSIVE VENDOR

WHEREAS, Township annually engages the services of a landscaping professional to assist in the maintenance of municipal properties; and

WHEREAS, bid specification and a single addendum were prepared and appropriately advertised and at the time and place for receiving bids, five vendors submitted bids; and

WHEREAS, upon a review of the bids and despite the addendum providing clarification, it was evident that multiple vendors bid on the wrong square footage of lands to be maintained; and

WHEREAS, because the Township also sought unit pricing it was able to internally adjust bids based on the unit pricing and the appropriate square footage areas to be serviced; and

WHEREAS, based on the adjusted figures, the bids received were as follows:

Vendor	Adjusted Base Bid
Delaware Valley	\$70,206.81 (adjusted down) (originally \$75,724.41)
Breed Landscaping	\$80,785.96 (adjusted upward) (originally \$71,358.69)
Greenscape Landscape	\$81,112.07
All Green	\$92,622.93
McHugh's Landscaping	\$125,796.91

WHEREAS, the Delaware Valley bid was accompanied by a letter from its President taking nine (9) exceptions to the bid specification; and

WHEREAS, included in the exceptions was a rejection and modification of the Township's identified "Scope of Work," a refusal to train municipal employees, and a requirement that the Township be responsible for the total cost even when service is not provided; and

WHEREAS, these conditions are unacceptable and materially alter the bid specification attempting to place this vendor in a position of advantage over other potential vendors; and

WHEREAS, material alterations to a bid specification are unacceptable under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., because acceptance of the same destroys the level playing field anticipated by all vendors and invites favoritism; and


WHEREAS, the second vendor, Breed's Landscaping, submitted a compliant bid; and

WHEREAS, the Chief Financial Officer certifies that funds are available for award of this contract.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lumberton as follows:

1. The bid of Delaware Valley Spray Service, Inc. is rejected for the reasons expressed herein and the exception further identified in the April 1, 2015 letter from the vendor submitted with bid, a copy of which is attached hereto and incorporated herein.
2. The contract is awarded to Breed's Landscaping for a total contract amount not to exceed Eighty-Thousand, Seven Hundred and Eight-Five Dollars and Ninety-Six Cents (\$80,785.96) according to the terms of the bid specification and addenda.
3. Breed's contract is contingent upon the receipt, review and approval of an insurance certificate for the values indicated in the specification, naming the Township of Lumberton and its agents as additional insured.
4. A copy of this Resolution shall be provided to Breed's Landscaping.

Adopted: April 6, 2015



Stephanie N. Yurko, RMC/CMR
Municipal Clerk