

RESOLUTION NO. 2012-246

RESOLUTION AUTHORIZING EMERGENCY PURCHASE
PURSUANT TO NJSA 40A:11-6

WHEREAS, an emergency had arisen with respect to the devastating effects of Hurricane Sandy.

WHEREAS, on October 27, 2012 Governor Christie declared a state of emergency for the response and recovery efforts required by Hurricane Sandy.

WHEREAS, emergency purchases pursuant to NJSA 40A:11-6 may be awarded without advertisement for bids or bidding in that an emergency affecting the health and public safety requires the immediate performance of the service as describe in Division of Local Government Services LFN 2012-22 & 29.

WHEREAS, all Departments and Professionals of the Borough of Belmar responded to said emergency in order to protect the public health, safety and welfare of the residents and general public of the Borough of Belmar and in doing so entered into purchases without competitive bidding as permitted by NJSA 40A:11-6 as follows:

Sea Coast Chevrolet-vehicles	\$250,549.00
Ted Britt-Rack Body Truck	\$54,949.02
Cambria Motors-Roll Off Truck	\$166,000.00
Broadco-Generators	\$53,861.00
Petro King-Fuel Pump Operation Replacement	\$62,973.00
Petro King-Fuel Monitoring System	\$15,044.27
Serv Pro-Cleaning Marina Bldgs	\$32,101.15
Fire Fighter One-Fire & other Rescue Equipment	\$42,756.98
All Hand Fire-Emergency Response & Rescue Equipment	\$40,683.71
Midlantic Const.-Pumping and Debris Removal	\$250,991.66
DeRouville-Debris Grinding & Hauling	\$30,950.00
Ferreira-Debris removal & Hauling	\$630,521.58
DH Reed-Debris removal & Hauling	\$273,861.36

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Belmar that the Chief Financial Officer be and is hereby authorized to encumber said invoices and contracts as listed above.

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I herewith certify that, as of November 21, 2012 and with final approval of the DLGS that there is adequate funds available for the proposed contract noted above in the Emergency Appropriation as adopted by Mayor and Council.

Robbin D. Kirk
Chief Financial Officer

Council Member Deicke offered the above resolution and moved its adoption.

Seconded by Council member Magovern and adopted by the following vote on roll call:

Council members:	AYES	NAYS	ABSTAIN	ABSENT
Mrs. Deicke	X			
Mr. Magovern	X			
Mr. Bean	X			
Mrs. Nicolay	X			
Mayor Doherty				X

Adopted: November 21, 2012

601 MAIN STREET
P.O. BOX A
BELMAR, N.J. 07719

00062516

IF FURTHER INFORMATION IS
REQUIRED, CONTACT FINANCE
(732) 681-3700**PURCHASE ORDER**
THIS NUMBER MUST APPEAR ON ALL INVOICES,
PACKING LISTS, CORRESPONDENCE, ETC.

Pg.

No. 00062516

ORDER DATE: 11/16/12

REQUISITION NO:

DELIVERY DATE:

STATE CONTRACT NO:

F.O.B. TERMS:

IRS #21-6000081 - TAX EXEMPT UNDER PROVISIONS OF N.J.
SALES & USE TAX ACT (CHAPTER 30, LAWS OF 1966).

CHECK NO.

PAYMENT RECORD

CHECK DATE

THE CONDITIONS OF THIS ORDER ARE NOT TO BE MODIFIED BY ANY VERBAL UNDERSTANDING.
ALL PRICES ARE F.O.B. DESTINATION, FREIGHT PREPAID & CHARGED BACK, UNLESS NOTED.

VENDOR #: 28119

MIDLANTIC CONSTRUCTION LLC
371 NORTH MAIN STREET
BARNEGAT NJ 08005

QUANTITY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	EMERGENCY SERVICES/HURRICANE PUMPS/EXCAVATORS/TRAILERS/TRUCKS/ DELIVERY PUMP LAKES OUT AFTER HURRICANE	2-01- -155-228	250,991.6600	250,991.66
			TOTAL	250,991.66

SIGN AND RETURN VOUCHER COPY WITH INVOICE FOR PAYMENT**NOTE: DO NOT ACCEPT THIS ORDER
UNLESS IT IS SIGNED IN BOTH
SPACES BELOW.****THE CONDITIONS OF THIS ORDER ARE NOT TO BE
MODIFIED BY ANY VERBAL UNDERSTANDING.****QUALITY**

Material is subject to Buyer's inspection and approval at a reasonable time after delivery, and if specifications are not met material may be rejected by Buyer and returned at the Seller's expense.

GOVERNMENT REGULATIONS

Seller warrants that all applicable laws, rules, and regulations of governmental authority covering the production, sales, and delivery of the Material specified herein have been complied with.

DEPARTMENT HEAD

DATE

PURCHASING AGENT

DATE

VENDOR COPY

MIDLANTIC CONSTRUCTION LLC

371 NORTH MAIN STREET - BARNEGAT, NJ 08005

TELE: 732-223-9393
FAX: 732-223-2460

November 14, 2012

Township of Belmar
Attn: Mike Campbell
601 Main Street
Belmar, NJ 07719

Re: Hurricane Emergency Work

Dear Mr. Campbell,

Attached you will find our invoice for the emergency services provided by Midlantic Construction for the Hurricane Sandy Emergency at Belmar, NJ. The total invoice amount is \$250,991.66. T&M sheets are enclosed for your review. Please let us know if you have any questions.

Very truly yours,
Midlantic Construction LLC



Scott Wood

CC: File, MMurray, LGetz



Midlantic Construction LLC

371 North Main Street
 Barnegat, NJ 08005
 Phone: 732-223-9393 FAX: 732-223-2460

Bill to:
 Township of Belmar
 601 Main Street
 Belmar, NJ 07719

Date: 11/14/2012
Invoice # 93.11
Due: Net 30

Summary of Charges:

Labor				
Trade	Type	Hours	Rate	Extended
Carpenter GF	ST	40.0	140.61	5,624.29
	OT	57.0	210.91	12,021.93
	DT	24.5	281.21	6,889.76
Carpenter Foreman	ST	16.0	124.45	1,991.20
	OT	68.5	186.68	12,787.26
	DT	37.0	248.90	9,209.31
Carpenter Journeyman	ST	8.0	108.29	866.34
	OT	59.5	162.44	9,665.15
	DT	53.0	216.59	11,479.06
Laborer Foreman	ST	16.0	98.43	1,574.95
	OT	19.0	147.65	2,805.37
	DT	24.0	196.87	4,724.84
Laborer	ST	16.0	94.13	1,506.03
	OT	19.0	141.19	2,682.61
	DT	24.0	188.25	4,518.08
Operator	ST	-	115.33	-
	OT	15.0	173.00	2,594.93
	DT	-	230.66	-
Teamster	ST	16.0	115.50	1,848.00
	OT	-	175.35	-
	DT	-	234.15	-
Total Labor			\$	92,789.11

Equipment/Material

Description	Quant	Hours/unit	Rate	Extended
18" Pump	1	164.5	163.38	26,876.29
12' Pump	2	150	128.99	38,696.95
Komatsu PC400	1	128	355.34	45,483.52
330 Linkbelt Excavator	1	152.5	223.02	34,010.47
Tractor Trailer	1	8	137.89	1,103.08
Pick Up Truck	1	80	57.68	4,614.40
Utility Truck	1	8	57.68	461.44
Lowboy moves	4	8	137.50	4,400.00
L & C Pipe Delivery				1,456.40
Pipe Deliver In/Out				1,100.00
Total Equipment / Material			\$	158,202.55

Total Invoice \$ 250,991.66

MIDLANTIC CONSTRUCTION LLC.

Sheet 2 of 2

371 North Main Street, Barnegat, NJ 08005

TEL: 732-223-9393

FAX: 732-223-2460

T&M Daily Report Labor, Equipment and Material

Date: _____

Project Number: _____

Owner: _____ Belmar

Project Name: Hurricane Sandy Emergency Work

Owners Rep: _____

Equipment and Material				
Description	Quantity	Unit	Vendor	
18 Inch Pump		HR	Midlantic	
Link Belt 330 Excavator		HR	Midlantic	
Tractor and Trailer		HR	Midlantic	
Pick Up Truck		HR	Midlantic	
Mason Dump		HR	Midlantic	
100 Gallon Fuel Tank		HR	Midlantic	
12" Pump		HR	Midlantic	
Komatsu PC-400		HR	CJ Hesse	
Tractor and Trailer		HR	CJ Hesse	
Fuel Truck		HR	CJ Hesse	
Utility Truck		HR	Midlantic	

Comments: _____

Midlantic Superintendent _____ Owners Representative _____

Signed _____ Signed _____

MIDLANTIC CONSTRUCTION LLC.

Sheet 2 of 2

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_____ Owners Representative

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Comments: _____

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 Signed _____ Signed

L & C Specialized Carriers, Inc. "a div. of Lenny's Towing"

L & C Specialized Carriers, Inc.
 199 Carriage Lane
 Delran, NJ 08075
 (856)220-8989



Invoice

DATE	11/04/2012
INVOICE #	11032G
TERMS	NET 30
DATE	12/04/2012

BILLED TO
 sunbelt pc 172
 Sunbelt Rental Corp.
 3090 Rt. 73
 Maple Shade, nj 08052

DATE	SERVICE	QUANTITY	RATE	AMOUNT
11/03/2012	EMERGENT RUN EMERGENCY TRANSPORTATION OF 12 X 10 BAUER PIPE FROM PC 172 TO A JOB LOCATION IN BELMAR NJ. INITIALLY TOLD THERE WERE 10 PCS TO BE TRANSPORTED, HOWEVER IT TURNED OUT TO BE 25 PCS. OF PIPE. DRIVER J. MOORE HAD TO MAKE 2 TRIPS AND HAND UNLOAD THE PIPE ON SITE, DUE TO LACK OF MACHINERY TO ASSIST WITH UNLOADING. TOTAL HOURS = 10 "AFTER HOURS RATE APPLIES" "HURRICANE	10	145.00	1,450.00
	Continue to the next page.			

DATE	DESCRIPTION	QUANTITY	PRICE	AMOUNT
11/03/2012	fuel surcharge			
11/03/2012	tolls			
11/03/2012	DISCOUNT			
11/04/2012				
SANDY RELIEF EFFORTS"				
	12%	1	174.00	174.00
	NO CHARGE	1	0.00	0.00
	DISCOUNT	-1	300.00	-300.00
	25 PCS OF BAUER PIPE TO BELMAR NJ,,"CUSTOMER MID-ATLANTIC CONS"			
			Total	174.00

Invoice is payable within 30 days of the date above.
 A service charge of 1.5% per month will be added to all past due amounts. Thank you for your business.

Without "you", there wouldn't be "us".

AGREEMENT

THIS AGREEMENT, made this 5 day of November 2012, by and between the Borough of Belm... herein called "OWNER", acting herein through its Municipal Finance Officer and/or Municipal Administrator pursuant to the authority granted pursuant to Local Finance Notice 2012-22, under which Governor Christie declared a state of emergency which includes such designation for this municipality, and N.J.S.A. 40A:4-45.3bb, N.J.S.A. 40A:4-45.4q, N.J.S.A. 40A:45-45(b), N.J.S.A. 40A:4-46, N.J.S.A. 40A:11-6, and N.J.A.C. 5:34-6.1, acting as contracting agent, and (Name) MIDLANTIC CONSTRUCTION hereinafter called "CONTRACTOR." (Address) 371 North Main St. BARNAGET N.J.

Whereas the Owner is designated in a location under Governor Christie's state of emergency declaration; and

Whereas the Owner is in need of the services to be provided hereunder on an emergent basis to protect the health, safety and welfare which requires the immediate delivery of the good and or services herein described; and

THEREFORE, it is hereby agreed as follows: that for and in consideration of the payments and agreements mentioned, to be made and performed by the OWNER, the CONTRACTOR hereby agrees to deliver the following goods or services:

Describe Good or Services: Pumping Water + Emergency Work

State Contract Amount: \$ 30,000 / DAY

Delivery of Goods/Completion of Services Date: START Oct. 31, 2012

FURTHER, the Contractor agrees to indemnify and save harmless the Owner, its officers, agents, servants, employees, elected and appointed officials from all suits and claims of every name and description and from all damages to which the Owner or its designees hereunder may be required to pay by reason of injury to the person or property resulting from any improper actions or omissions on the part of the Contractor;

IN ADDITION, the Contractor, prior to payment, shall provide to the Owner the following information:

Affirmative Action Evidence State of New Jersey Business Registration Certificate

IN WITNESS WHEREOF, the parties to these presents have executed this Agreement.

OWNER: **BOROUGH OF BELMAR**

Finance officer - MIDLANTIC
SCOTT - 223-9393
(732)

BY: _____
William Young, Municipal Administrator or
Robin Kirk, Municipal Finance Officer

CONTRACTOR: MIDLANTIC CONSTRUCTION

BY: (signature) John McCormack Jr.

Print Name & Title: John McCormack Jr
SUPER. 732-312-7757