

**RESOLUTION 2023-095**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE EXTENSION OF THE CONTRACT FOR SNOW PLOWING SERVICES, WITH FRANK GALBRAITH & SON EXCAVATING AND DEMOLITION L.L.C.**

**WHEREAS**, on May 20, 2021, sealed bids were received and opened for Snow Plowing Services for the 2021 snow season with a renewal option for an additional four (4) years upon mutual consent by both parties; and

**WHEREAS**, on Ma 27, 2021 the Township of Chatham awarded the bid for Snow Plowing Services to Frank Galbraith & Son Excavating and Demolition L.L.C. for a one-year period commencing September 1, 2021, and continuing through April 1, 2022, and further authorized the extension for the 2022 snow season; and

**WHEREAS**, the Township wishes to again extend the contract for the second of the four one (1) year renewal options, commencing September 1, 2023, and continuing through April 1, 2024, in accordance with *N.J.S.A. 40A:11-1, et seq.*; and

**WHEREAS**, the Township is still satisfied with the proposal submitted by Frank Galbraith & Son Excavating and Demolition L.L.C., as being responsible and being in conformance with the requirements promulgated pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*, which satisfies the best interests of the Township; and

**WHEREAS**, the Township Administrator has indicated that the services are being performed in an effective and efficient manner and recommends that the Contract be extended by exercising the second option to renew for an additional one (1) year with Frank Galbraith & Son Excavating and Demolition L.L.C.; and

**WHEREAS**, pursuant to Chapter 2, Administration, Article II, Municipal Officials and Employees, § 2-2.7, Responsibility for Purchasing and Contracting, the Township Administrator, who shall serve as the Township Purchasing Agent and Contracting Agent, is limited to awarding contracts for non-professional services in an amount that does not exceed \$9,200.00; and

**WHEREAS**, this contract is being awarded as an open-ended contract pursuant to *N.J.A.C. 5:30-11.10*, and there shall be a maximum hourly rate billed for a truck and driver for each snow event as defined in the bid specifications per contract period, snow season (September to April), and as such the award amount could exceed \$9,200.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that it hereby authorizes the

option to extend the contract, based on the recommendation of the Township Administrator, for Snow Plowing Services to Frank Galbraith & Son Excavating and Demolition L.L.C., of 831 Raritan Road, Scotch Plains, New Jersey 07076 as follows:

1. The option to extend the Contract is authorized for an additional term of September 1, 2023, and continuing through April 1, 2024.
2. The rate will be consistent with the terms of 2021 bid, \$175.00 per hour for a 10-foot truck and \$140 per hour for an 8-foot truck, snow plow and operator included, a minimum of three (3) trucks for a snow fall of approximately 4 inches of snow.
3. No amount of this contract shall be chargeable until such time as the certification of available funds is made by the Chief Financial Officer, upon receipt of a properly executed Purchase Order pursuant to N.J.A.C. 5:30-11.10.
4. No minimum payment is implied or shall be guaranteed under the contract which shall be terminable by the Township with or without reason and the contractor shall only be paid for the work completed up to the date of termination.
5. The Mayor and the Township Clerk are hereby authorized to enter a Contract necessary for the aforementioned services, a copy of which shall be available for public inspection in the Office of the Township Clerk.

Adopted: April 25, 2023

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

  
\_\_\_\_\_  
Gregory J. LaConte, Clerk

By   
\_\_\_\_\_  
Ashley Felice, Mayor

#### CERTIFICATION OF THE AVAILABILITY OF FUNDS

I hereby certify that as of April 25, 2023, sufficient funds are or will be available upon adoption of the budget for year 2023 to carry out the purpose of this Resolution.

  
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Debra A. King  
Chief Financial Officer