

**RESOLUTION 2011 - 279**

**RESOLUTION AUTHORIZING THE AWARDING OF A CONTRACT  
FOR THE PURCHASE OF A PUMPER TANKER FIRE TRUCK TO SMEAL FIRE  
APPARATUS COMPANY**

WHEREAS, the Township Committee of the Township of Ocean, State of New Jersey (the "Township") has solicited bids for the purchase of a Pumper Tanker Fire Truck; and

WHEREAS, two (2) bids have been received in response to the bid solicitation, which was undertaken pursuant to the provisions of the New Jersey Local Public Contract Law, N.J.S.A. 40A:11-1 et. seq.; and

WHEREAS, the two (2) bids submitted for review were submitted by:

1. Smeal Fire Apparatus Company - \$686,788.00
2. Blaze Emergency Equipment, LLC - \$671,896.00

WHEREAS, the bid specifications have been reviewed by representatives of Waretown Volunteer Fire Company; and

WHEREAS, the bids submitted by each of the bidders have been carefully reviewed and it has been determined that the bid submitted by Blaze Emergency Equipment Company does not meet the detailed bid specification requirements, as is set forth in the report submitted by the Waretown Volunteer Fire Company, a true copy of which is on file in the office of the Township Clerk and can be reviewed by the public during normal business hours; and

**DASTI, MURPHY  
McGUCKIN, ULAKY,  
CHERKOS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD  
P.O. BOX 1057  
FORKED RIVER, N.J. 08731

WHEREAS, it is the opinion of the Township that the deviations and defects in the bid submitted by Blaze Emergency Equipment Company cannot be waived or ignored, and therefore the bid submitted by Blaze Emergency Equipment Company must be rejected by the Township because of its non-compliance with the bid specification requirement.

WHEREAS, the bid submitted by Smeal Fire Apparatus Company has been reviewed and found to be acceptable as to form and content; and

WHEREAS, the Township attorney has reviewed the bid documentation submitted by Smeal Fire Apparatus Company including but not limited to, the consent of surety, bid bond, list of stockholders, affidavit of non-collusion, etc., and all has been found to be acceptable and in accordance with the bid requirements; and

WHEREAS, the award of the Contract for the purchase of the Pumper Tanker Fire Truck is in compliance with the Township's budgetary constraints.

NOW THEREFORE BE IT RESOLVED, this     day of October, 2011, the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey as follows:

1. The Township accepts the recommendations of the Waretown Volunteer Fire Company and the Township Solicitor and hereby rejects the bid submitted by Blaze Emergency Equipment Company. The bid submitted by Blaze Emergency Equipment Company is in substantial deviation of the bid specifications. The deviations are major in nature and cannot be waived or ignored by the Township.

2. The Township accepts the recommendations of the Waretown Volunteer Fire Company and the Township Solicitor and awards the Contract for the purchase of the Pumper Tanker Fire Truck to Smeal Fire Apparatus Company for and in consideration of \$686,788.00.

3. The Township authorizes and directs the Mayor, Township Clerk and Township Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.

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4. A copy of this Resolution shall be forwarded by the Township Clerk to the following:

1. Honorable Joseph Lachawiec, Mayor
2. Waretown Volunteer Fire Company
3. Christine Thorne, CFO
4. Gregory P. McGuckin, Esquire, Township Attorney
5. David Breeden, Township Administrator
6. All bidders

#### **CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey at a regular meeting held on the \_\_\_\_\_ day of October, 2011, quorum being present and voting in the majority.

\_\_\_\_\_  
Diane Ambrosio, Township Clerk

JJD/faw  
Ocean Twp. Resolutions 2011

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