

Borough of Spring Lake
County of Monmouth

**RESOLUTION – AWARD OF CONTRACT #05-2021
IMPROVEMENTS TO WASHINGTON AVENUE**

WHEREAS, on October 14, 2021 bids were received for the Improvements to Washington Avenue, and

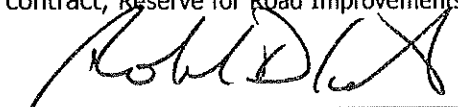
WHEREAS, six (6) packages were picked up and five (5) bids were received, and

WHEREAS, Fernandes Construction, Inc., Monroe, NJ submitted the lowest responsible bid for Improvements to Washington Avenue at a total bid of \$231,151.30; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Spring Lake that Contract #05-2021 is hereby awarded to Fernandes Construction Inc., Monroe, NJ for the Improvements to Washington Avenue at a cost not to exceed \$231,151.30.

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I, Robbin Kirk, Chief Financial Officer of the Borough of Spring Lake hereby certify that funds are available from the following account for the award of the above contract, Reserve for Road Improvements Acct # C-04-55-226-001 with an available balance of \$712,860.89


ROBBIN KIRK, CHIEF FINANCIAL OFFICER


JENNIFER NAUGHTON, MAYOR

I hereby certify that the above Resolution was duly adopted by the Mayor and Borough Council of the Borough of Spring Lake at a meeting held on October 26, 2021.


DINA M. ZAHORSKY, BOROUGH CLERK

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S E N T	A B S T A I N
MR. DRASHEFF		✓	✓			
MR. ERBE	✓		✓			
MR. JUDGE					✓	
MR. FROST			✓			
MR. SAGUI			✓			
MS. WHALLEY			✓			
MAYOR NAUGHTON						

I hereby certify that the above Resolution was duly adopted by the Mayor & Borough Council of the Borough of Spring Lake at a meeting held on October 26, 2021.

Borough Clerk

LEON S. AVAKIAN, INC. *Consulting Engineers*

788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1953-2004)
PETER R. AVAKIAN, P.E., P.L.S., P.P.
MEHRYAR SHAFAI, P.E., P.P.
GREGORY S. BLASH, P.E., P.P., CPWM
LOUIS J. LOBOSCO, P.E., P.P.
GERALD J. FREDA, P.E., P.P.
RICHARD PICATAGI, L.L.A., P.P.
JENNIFER C. BEAHM, P.P., AICP
CHRISTINE L. BELL, P.P., AICP
SAMUEL J. AVAKIAN, P.E., P.L.S.

October 15, 2021

Mr. W. Bryan Dempsey, Administrator
Borough of Spring Lake
423 Warren Avenue
Spring Lake, NJ 07762

**Re: Improvements to Washington Avenue
Bid Recommendation
Borough of Spring Lake, Monmouth County
Our File: SL-21-12**

Dear Mr. Dempsey:

Bids were received on October 14, 2021, for the above referenced project. Six (6) contractors picked up bid documents and five (5) completed bid were received. The low bidder was Fernandes Construction, Inc. in the corrected amount of \$231,151.30 as shown on the attached tabulation of bids.

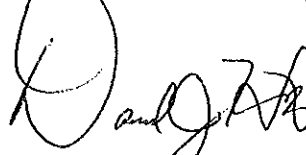
The references for the low bidder, Fernandes Construction, Inc., Monroe, NJ, have been checked by this office and found to be satisfactory. Our office has also administered several projects in the Borough of Spring Lake with this contractor.

We, therefore, recommend that a contract is awarded to Fernandes Construction, Inc., Monroe, NJ, in the amount of \$231,151.30 subject to attorney review and available funding.

Should you have any questions regarding this matter, please do not hesitate to call our office.

Very truly yours,

LEON S. AVAKIAN, INC.



David J. Howarth
Project Manager

DJH: djh
SL 21-12

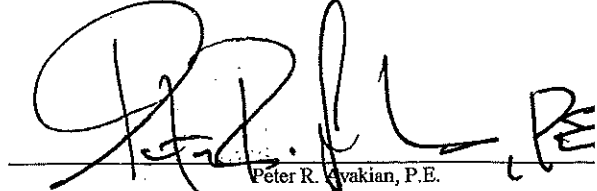
TABULATION OF BIDS- IMPROV

Bids Received - October 14, 2021

REQUIRED BID DOCUMENTS TO BE SUBMITTED			Fernandes Construction, Inc. 25 Stonegate Dr. Monroe Twp. NJ 08831		Black Rock Enterprises 1316 Englishtown Road Old Bridge, NJ 08857	
Bid Document Checklist			X		X	
Bid Security			X		X	
Consent of Surety			X		X	
Project Reference			X		X	
Statement of Ownership			X		X	
Certificate of Equipment Ownership			X		X	
Non-Collusion Affidavit			X		X	
Addendum Acknowledgement			X		X	
NJ Business Registration Certification			X		X	
List of Subcontractors			X		X	
Public Works Contractor Registration Certification			X		X	
Disclosure of Investment Activities in Iran			X		X	
ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Inlet Filter, Type 1	40 SF	\$0.01	\$0.40	\$50.00	\$2,00
2	Breakaway Barricade	10 UN	\$0.01	\$0.10	\$0.01	\$
3	Drums	20 UN	\$0.01	\$0.20	\$0.01	\$
4	Traffic Cones	40 UN	\$0.01	\$0.40	\$0.01	\$
5	Construction Identification Signs, 48"x48"	10 UN	\$0.01	\$0.10	\$0.01	\$
6	Uniformed Traffic Directors	120 HR	\$85.00	\$10,200.00	\$85.00	\$10,20
7	Asphalt Price Adjustment	1 LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,00
8	Fuel Price Adjustment	1 LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,00
9	6"x8"x18" Concrete Vertical Curb	2150 LF	\$28.00	\$60,200.00	\$30.00	\$64,50
10	Concrete Curb and Gutter	60 LF	\$32.00	\$1,920.00	\$45.00	\$2,70
11	Concrete Sidewalk, 4" Thick	200 SY	\$75.00	\$15,000.00	\$85.00	\$17,00
12	Detectable Warning Surface	11 SY	\$250.00	\$2,750.00	\$750.00	\$8,25
13	Concrete Driveway Apron, 6" Thick	325 SY	\$75.00	\$24,375.00	\$85.00	\$27,62
14	Hot Mix Asphalt Driveway	20 SY	\$20.00	\$400.00	\$55.00	\$1,10
15	Reset Paverstone/Slate Sidewalk and Apron	75 SY	\$75.00	\$5,625.00	\$95.00	\$7,12
16	Reset Existing Manhole Casting	3 UN	\$250.00	\$750.00	\$300.00	\$90
17	Reset Water Valve Box	4 UN	\$25.00	\$100.00	\$45.00	\$18
18	HMA Milling, 3" or Less	5100 SY	\$5.00	\$25,500.00	\$3.85	\$19,63
19	Tack Coat	300 GAL	\$0.01	\$3.00	\$3.00	\$90
20	Hot Mix Asphalt, 9.5M64 Leveling Course	50 T	\$97.45	\$4,872.50	\$80.00	\$4,00
21	Hot Mix Asphalt, 9.5M64 Surface Course	650 T	\$97.45	\$63,342.50	\$89.00	\$57,85
22	Traffic Striping, Long Life Epoxy Resin, 4"	975 LF	\$1.10	\$1,072.50	\$1.65	\$1,61
23	Traffic Striping, Thermoplastic, 6"	520 LF	\$1.60	\$832.00	\$2.50	\$1,30
24	Thermoplastic Curb Striping	350 LF	\$2.10	\$735.00	\$1.10	\$38
25	Traffic Markings, Thermoplastic, Stop Bar	160 SF	\$3.24	\$518.40	\$5.00	\$80
26	Traffic Markings, Thermoplastic, "STOP"	2 UN	\$2.10	\$4.20	\$165.00	\$33
27	Topsoiling, 4" Thick	75 SY	\$8.00	\$600.00	\$5.00	\$37
28	Sodding	75 SY	\$2.00	\$150.00	\$15.00	\$1,12
29	Tree Removal, Over 12" to 36" Diameter	1 UN	\$2,200.00	\$2,200.00	\$3,500.00	\$3,50
Bid Rank				1		2
Total Items 1-29				\$231,151.30		\$243,389.55

* Indicates corrected mathematical error on contractors proposal form

I hereby certify that this is a true copy of bids received for the Improvements to Washington Avenue in the Borough of Spring Lake on October 14, 2021


 Peter R. Avakian, P.E.
 NJ PE License 28142
 Leon S. Avakian, Inc.

NTS TO WASHINGTON AVENUE

SHEET 1 of 1

BIDDERS

Earle Asphalt Company P.O. Box 556 Farmingdale, NJ 07727		S. Batata Construction 238 Ernston Road, Suite 1R Parlin, NJ 08859		Fiore Paving Co. Inc. 4 Fiore Court Oceanport, NJ 07757		Shore Top Construction 23 Yellow Brook Road Freehold, NJ 07728	
X		X		X		X	
X		X		X		X	
X		X		X		X	
X		X		X		X	
X		X		X		X	
X		X		X		X	
X		X		X		X	
X		X		X		X	
X		X		X		X	
X		X		X		X	
X		X		X		X	
X		X		X		X	
UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
\$0.01	\$0.40	\$1.00	\$40.00	\$0.01	\$0.40		
\$0.01	\$0.10	\$1.00	\$10.00	\$0.01	\$0.10		
\$0.01	\$0.20	\$1.00	\$20.00	\$0.01	\$0.20		
\$0.01	\$0.40	\$1.00	\$40.00	\$0.01	\$0.40		
\$0.01	\$0.10	\$1.00	\$10.00	\$0.01	\$0.10		
\$85.00	\$10,200.00	\$85.00	\$10,200.00	\$85.00	\$10,200.00		
\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00		
\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00		
\$26.00	\$55,900.00	\$30.00	\$64,500.00	\$35.13	\$75,529.50		
\$60.00	\$3,600.00	\$50.00	\$3,000.00	\$65.00	\$3,900.00		
\$85.00	\$17,000.00	\$70.00	\$14,000.00	\$87.00	\$17,400.00		
\$265.00	\$2,915.00	\$400.00	\$4,400.00	\$225.00	\$2,475.00		
\$105.00	\$34,125.00	\$80.00	\$26,000.00	\$97.75	\$31,768.75		
\$45.00	\$900.00	\$50.00	\$1,000.00	\$50.00	\$1,000.00		
\$20.00	\$1,500.00	\$100.00	\$7,500.00	\$150.00	\$11,250.00		
\$425.00	\$1,275.00	\$2,000.00	\$6,000.00	\$400.00	\$1,200.00		
\$0.01	\$0.04	\$1,000.00	\$4,000.00	\$50.00	\$200.00		
\$5.00	\$25,500.00	\$5.00	\$25,500.00	\$5.00	\$25,500.00		
\$3.00	\$900.00	\$1.00	\$300.00	\$5.00	\$1,500.00		
\$0.01	\$0.50	\$120.00	\$6,000.00	\$113.90	\$5,695.00		
\$115.00	\$74,750.00	\$120.00	\$78,000.00	\$113.90	\$74,035.00		
\$1.00	\$975.00	\$2.00	\$1,950.00	\$1.03	\$1,004.25		
\$1.50	\$780.00	\$5.00	\$2,600.00	\$1.56	\$811.20		
\$2.00	\$700.00	\$2.00	\$700.00	\$2.01	\$703.50		
\$3.00	\$480.00	\$10.00	\$1,600.00	\$3.10	\$496.00		
\$200.00	\$400.00	\$500.00	\$1,000.00	\$201.25	\$402.50		
\$12.00	\$900.00	\$1.00	\$75.00	\$5.00	\$375.00		
\$12.00	\$900.00	\$1.00	\$75.00	\$20.00	\$1,500.00		
\$3,411.39	\$3,411.39	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00		
3		4		5		NO BID	
\$247,113.13		\$273,520.00		\$281,946.90		NO BID	

AGREEMENT

THIS AGREEMENT dated this 1 day of November 2021, between the BOROUGH OF SPRING LAKE, with offices located at 423 Warren Avenue, Spring Lake, Monmouth County, New Jersey, hereafter referred to as "Owner", and FERNANDES CONSTRUCTION INC., a New Jersey Corporation, with offices located at 25 Stonegate Drive, Monroe, New Jersey, hereafter referred to as "Contractor".

WITNESSETH:

1. It is agreed by and between the parties that the documents entitled "Specifications for the "Improvement to Washington Avenue in the Borough of Spring Lake, Monmouth County, New Jersey", dated September 30, 2021, prepared by Peter R. Avakian, P.E., License No. 28142, hereafter referred to as "Specifications" including the Information For Bidders; the Technical Specifications; the Plan Set (4 sheets) prepared by Peter R. Avakian, P.E., dated September 30, 2021, hereinafter referred to as "Drawings"; together with the terms and conditions set forth in the bid package and all representations made by Contractor in its bid proposal are also specifically incorporated herein by reference; and are made a part hereof as if set forth at length herein and the terms and conditions there in form a material part of this contract together with all statements and information made by Contractor in its bid.

2. Contractor, for and in consideration of the payments hereinafter specifies, hereby covenants and agrees to furnish and deliver all the materials and to do and perform all the work and labor required to complete the quantity of work items specified in the proposal form of aforementioned Specifications and as shown on the aforementioned Drawings. The Contractor

agrees to perform all of such work in strict and entire conformity with the conditions and specifications and will complete the work by and within the time set forth in such attachments.

3. Contract Times. The Contractor shall proceed with this work within ten (10) days of the signing of contracts and shall complete all work by May 20, 2022.

4. Owner shall pay Contractor for the performance of the work as bid, in the sum of the corrected bid amount of \$231,151.30, which payment is to be made as provided in the Specifications.

5. No assignment by a party hereto of any rights under or interest in the Contract Documents included in the Specifications, will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Contract.

6. OWNER and CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect of all covenants, agreements and obligations contained in the Contract Documents.

7. Addresses for giving Notices:

BOROUGH OF SPRING LAKE
423 Warren Avenue
P.O. Box 638
Spring Lake, NJ 07762

FERNANDES CONSTRUCTION INC.
25 Stonegate Drive
Monroe, New Jersey, 08831

8. Additional Terms as follows:

- a. BENEFIT. This Agreement shall be binding upon and inure to the benefit of the legal representatives, successors and assigns of the parties hereto.
- b. CONSTRUCTION. This Agreement is being delivered and is intended to be performed in the State of New Jersey and shall be construed and enforced in accordance with the laws thereof.
- c. NOTICES. All notices, requests, demands and other communications hereunder shall be written, and shall be deemed to have been duly given if delivered or mailed, by certified mail, return receipt requested, to the parties hereto at the address stated on the first page of this contract.
- d. COUNTERPARTS. This agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
- e. DEFENSE & INDEMNIFICATION Contractor shall defend, indemnify and hold the Borough harmless from and against any claims against the Borough for damages to person or property, including attorneys' fees, arising from the acts/omissions of the Contractor, its agents, officers, employees and subcontractors in furtherance of performance under this Contract.

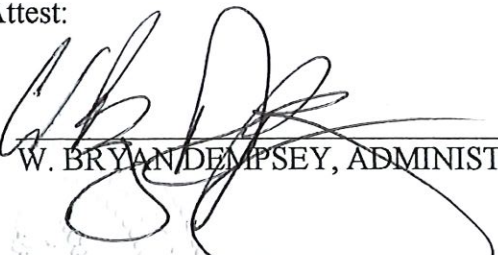
IN WITNESS WHEREOF, OWNER AND CONTRACTOR have signed this AGREEMENT.

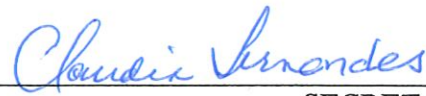
OWNER:
BOROUGH OF SPRING LAKE

CONTRACTOR:
FERNANDES CONSTRUCTION INC.

By: 
JENNIFER NAUGHTON, MAYOR

By: 
JOAQUIM FERNANDES, PRESIDENT

Attest:

W. BRYAN DEMPSEY, ADMINISTRATOR

Attest:

CLAUDIA FERNANDES, SECRETARY

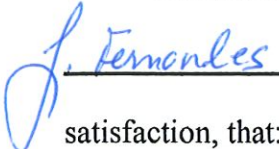
(Affix Corporate Seal)

STATE OF NEW JERSEY)

ss.:

COUNTY OF MONMOUTH)

I CERTIFY THAT ON THIS 5 DAY OF November, 2021,

 personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) This person is the President of FERNANDES CONSTRUCTION INC., the corporation named in this document;
- (b) This person is the attesting witness to the signing of this document by JOAQUIM FERNANDES, the proper corporate officer, who is the President of this corporation;
- (c) This document was signed and delivered by the corporation as its voluntary act duly authorized by a resolution of its Board of Directors;

- (d) This person knows the proper seal of the corporation which was affixed to this document;
and
(e) This person signed this proof to attest to the truth of these facts.

Signed and sworn to before me on 11/5, 2021

Claudia Fernandes
Signature

Name Claudia Fernandes

Notary Public of New Jersey

My Commission Expires _____

