

Mansfield Township Board of Education
MINUTES
Special Meeting
May 14, 2015

Call to Order

Mrs. Reyes opened the May 14, 2015, Special Meeting of the Mansfield Township Board of Education at 7:30 p.m. with the following statement:

In accordance with the New Jersey Open Public Meetings Law, the time, date, and location of this meeting was sent to the Star-Gazette and Express-Times, May 8, 2015, was posted in the municipal building and the school lobby, and is on file with the Township Clerk.

Salute to the Flag

Roll Call

Present: Ms. Karri Reyes
Mr. Jim Momary
Mr. Michael Coombs
Mr. John Falco
Ms. Tracey Janowski
Ms. Sharon McAlpin
Mr. Jason Winch

Absent: Mr. Tim Barlow
Ms. Desiree Mora-Dillon

Also present: Mr. Melitsky and Mrs. Roszkowski

Community: There were no community and/or staff members present

APPROVAL AGENDA

- 1. The following resolution was moved by Mr. Momary, seconded by Mr. Winch and adopted by unanimous roll call vote:

Rescind Bid Award – TBS

WHEREAS, on April 9, 2015, the Mansfield Township Board of Education (“Board”) awarded a contract for the Controls Upgrades at the Mansfield Township Elementary School project (“Project”) to TBS Controls, LLC (“TBS”), Allendale, New Jersey, in the amount of Two Hundred Forty Seven Thousand Three Hundred Twenty Dollars (\$247,320.00); and

Award HV/AC Control Bid to AME

WHEREAS, on April 16, 2015, the Board’s counsel forwarded a contract for the Project to TBS via overnight mail;

WHEREAS, on May 7, 2015 TBS met with the Board's Administration and its Design Professional and advised that it could not perform the work required by the Contract; and

WHEREAS, on May 8, 2015, TBS sent a letter to the Board's Design Professional requesting to withdraw stating that it could not complete the Project; and

WHEREAS, the second low bidder on the Project, A.M.E., Inc., Fairfield, New Jersey, has confirmed to the Board's Design Professional that its bid on the project of Two Hundred Fifty Seven Thousand Three Hundred Thirty Three Dollars (\$257,333.00), which amount includes a Fifteen Thousand Dollar (\$15,000.00) Project Allowance, remains open and valid; and

WHEREAS, the Board has determined A.M.E.'s Inc.'s bid to be a responsible bid.

NOW, THEREFORE, BE IT RESOLVED, that the above recitals are incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the Board hereby rejects TBS's request to withdraw its bid; and

BE IT FURTHER RESOLVED, that the Board hereby rescinds the award of contract to TBS on the basis that TBS refused to execute the contract within the time permitted by law and, further, that TBS anticipatorily breached the contract by advising that it could not complete the work required by the Contract; and

BE IT FURTHER RESOLVED, that the Business Administrator, in conjunction with Board Counsel, is authorized to make a claim against the bid bond provided by TBS for the Project; and

BE IT FURTHER RESOLVED, that in accordance with the provisions of the Public School Contracts Law, the Board hereby awards a contract for the Project to A.M.E., Inc. in the amount of Two Hundred Fifty Seven Thousand Three Hundred Thirty Three Dollars (\$257,333.00), as set forth above; and

BE IT FURTHER RESOLVED, that the Board's counsel is authorized to prepare the contract for the Project, transmit same to A.M.E., and to obtain all documents required thereby; and

BE IT FURTHER RESOLVED, that upon receipt of the executed contract from A.M.E., and upon the approval of A.M.E.'s Performance

Bond, Payment Bond, insurance certificate, and other documents required by their contract, that the Business Administrator is authorized to return the bid securities to the remaining bidders, except for TBS.

Public Participation

None

Administrative Report – HIB

Mr. Melitsky reported that there had been one incident of HIB that was reported and investigated since the last meeting and same incident was not found to violate the NJABR.

HIB

Executive Session

The following resolution was adopted on *MOTION by Mr. Momary, second by Mr. Coombs* and carried by unanimous vote:

WHEREAS, the Board must consider matter(s), negotiations and legal, the disclosure of which could constitute an unwarranted invasion of privacy; and

WHEREAS, the deliberation of such considerations may be held in private under the provisions of the Open Public Meeting Act;

THEREFORE BE IT RESOLVED, that the Board adjourn to executive session to discuss the above-mentioned matter(s) to the exclusion of all others. It is anticipated that the session will last approximately 15 minutes. No action will be taken on Executive Session items. (7:39 p.m.)

MOTION by Mr. Momary, second by Mr. Falco and carried by unanimous vote that the Board return to regular session. (7:51 p.m.)

Reconvene to Regular Session

Adjournment

MOTION by Ms. Janowski, second by Mr. Coombs and carried by unanimous vote that the Board adjourn the meeting of May 14, 2015. 7:51 p.m.

Respectfully submitted,

Mary E. Roszkowski
School Business Administrator/Board Secretary

Jim Momary
Vice President