

CAUCUS MEETING MINUTES – June 14, 2010

The regular meeting of the Bergenfield Board of Education was called to order by President Amara at 6:00 pm.

A roll Call indicated the following:

Present: Joseph Amara, President
 Eileen Ryder, Vice President
 Mark D’Esposito, Trustee
 Ralph Messina, Trustee
 Catherine Wada, Trustee

Also Present: M. Kuchar, J. Dime, H. Sinatra, T. Egan, C. Tully

Statement of the President:

"The New Jersey Open Public Meetings Law was enacted to insure the right of the public to have advance notice of and to attend meetings of this Board, except where specifically exempted by law, at which any business affecting their interest is discussed or acted upon. In accordance with the provisions of this act, the Board of Education has caused notice of this meeting to be published by having same advertised in the Record; also notice of this meeting has been mailed to the members of the Board, the Borough Clerk, all Elementary Schools, Roy W. Brown Middle School, the High School, and posted on the District Website on Friday, June 4, 2010."

Flag Salute:

3. Trustee Wada moved and Trustee Messina seconded to accept and approve the Personnel Recommendations as per the attached list.

Voting YES: Trustee D’Esposito, Trustee Messina, Trustee Wada,
 Vice President Ryder and President Amara

Voting NO: None

Abstaining: None

The motion was passed.

- Trustee Wada moved and Trustee D'Esposito seconded to accept and approve authorizing execution and delivery of the Grant Agreement for Bergenfield High School Roof Replacement and Repairs, DOE Project # 0300-020-09-1003, SDA Project # 0300-020-09-0ZYZ and Grant # G5-3718.

Voting YES: Trustee D'Esposito, Trustee Messina, Trustee Wada,
Vice President Ryder and President Amara

Voting NO: None

Abstaining: None

The motion was passed.

- Trustee Wada moved and Trustee D'Esposito seconded to accept and approve Delegation of Authority to School Business Administrator for supervision of the School Facilities Project # 0300-020-09-1003 Bergenfield High School Roof Replacement and Repairs.

Voting YES: Trustee D'Esposito, Trustee Messina, Trustee Wada,
Vice President Ryder and President Amara

Voting NO: None

Abstaining: None

The motion was passed.

- Trustee Wada moved and Trustee D'Esposito seconded to accept and approve authorizing execution and delivery of the Grant Agreement for Bergenfield High School Toilet Room Renovations for ADA Compliance, Project # 0300-020-09-1002, SDA Project # 0300-020-09-0ZYY, Grant # G5-3717.

Voting YES: Trustee D'Esposito, Trustee Messina, Trustee Wada,
Vice President Ryder and President Amara

Voting NO: None

Abstaining: None

The motion was passed.

7. Trustee Wada moved and Trustee D'Esposito seconded to accept and approve Delegation of Authority to School Business Administrator Business Administrator for supervision of the School Facilities Project # 0300-020-09-1002, Bergenfield High School Toilet Room Renovations for ADA Compliance.

Voting YES: Trustee D'Esposito, Trustee Messina, Trustee Wada,
Vice President Ryder and President Amara

Voting NO: None

Abstaining: None

The motion was passed.

8. Vice President Ryder moved and Trustee Wada seconded to accept and approve the following resolution:

WHEREAS, the Bergenfield Board of Education (hereinafter referred to as the "Board") advertised for bids for Contract No. 2 Solar Panel Installation at Bergenfield High School (hereinafter referred to as "the Project"); and

WHEREAS, on May 27, 2010 the Board received three (3) bids for the Project; and

WHEREAS, SMAC Corp. (hereinafter referred to as "SMAC") submitted the lowest bid for the Project, with a base bid in the amount of \$213,600, together with Alternate No.1 in the amount of \$10,000, Alternate No.2 in the amount of \$3,750 and Alternate No.3 in the amount of \$40,000 for a total contract sum of \$267,350; and

WHEREAS, SMAC has requested to withdraw its bid due to a mathematical error, which error is evident on the face of the bid; and

WHEREAS, the second lowest bid was submitted by Pfister Energy, Inc. (hereinafter referred to as "Pfister") with a base bid in the amount of \$281,123, together with Alternate No.1 in the amount of \$3,000, Alternate No.2 in the amount of \$2,250 and Alternate No.3 in the amount of \$37,203 for a total contract sum of \$323,576; and

WHEREAS, the bid bond submitted by Pfister was not executed or notarized by a principal of Pfister, as required on the bond, which is a nonwaivable, material defect; and further said bid is materially defective as the project includes general construction work and the bidder is not classified by the New Jersey Department of the Treasury, Division of Property Management and Construction (hereinafter referred to as the "DPMC") pursuant to N.J.S.A. 18A:18A-26 to perform general construction and the bidder failed to list a subcontractor classified for general construction work as required on the bid form and by law, which is a material, nonwaivable defect; and

WHEREAS, Sal Electric Co., Inc. (hereinafter referred to as "Sal") submitted by the lowest responsible bid, with a base bid in the amount of \$278,668, together with Alternate No.1 in the amount of \$12,965, Alternate No.2 in the amount of \$4,470 and Alternate No.3 in the amount of \$61,200 for a total contract sum of \$357,303; and

WHEREAS, the bid submitted by Sal conforms in all material respects to the bid specifications and is the Board's desire to award the bid to Sal.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The bid submitted by SMAC Corp. is hereby withdrawn.

2. The bid submitted by Pfister Energy, Inc. is hereby rejected as the bid is materially defective in that the bidder failed to execute the bid bond and the bidder is not properly classified as required by the bid documents, the bid specifications and N.J.S.A. 18A:18A-26, which constitutes a material, nonwaivable defect.

3. The Board hereby awards the bid for Contract No. 2 Solar Panel Installation at Bergenfield High School to Sal Electric Co., Inc. in the amount \$357,303, representing a base bid in the amount of \$278,668, together with Alternate No.1 in the amount of \$12,965, Alternate No.2 in the amount of \$4,470 and Alternate No.3 in the amount of \$61,200.

4. BE IT FURTHER RESOLVED, that this award is expressly conditioned upon the contractor furnishing the requisite insurance certificate and labor and materials/performance bond as required in the project specifications, together with an AA201-Project Manning Report, a Political Contribution Disclosure Certification, an executed A-101-Standard Form of Agreement Between Owner and Contractor and A-201-General Conditions of the Contract for Construction, as prepared by the Board Attorney, within ten (10) days of the date hereof.

BE IT FURTHER RESOLVED, that the Board Attorney is hereby directed to draft an agreement with the successful bidder consistent with this Resolution and with the terms contained in the bid documents approved by the Board for this project. The Board President and the Board Secretary are hereby authorized to execute such agreement and any other documents necessary to effectuate the terms of this Resolution.

BE IT FURTHER RESOLVED, the Business Administrator/Board Secretary is authorized to explore lease/purchase financing of the project.

Voting YES: Trustee D'Esposito, Trustee Messina, Trustee Wada,
Vice President Ryder and President Amara

Voting NO: None

Abstaining: None

The motion was passed.

9. Trustee Wada moved and Trustee D'Esposito seconded to accept and approve the following resolution:

WHEREAS, the Bergenfield Board of Education (hereinafter referred to as the "Board") advertised for bids for Contract No. 1, Roof Replacement at Bergenfield High School (hereinafter referred to as the "Project"); and

WHEREAS, on May 27, 2010, the Board received two (2) bids for the Project; and

WHEREAS, the lowest responsible bid for this Project was submitted by Hygrade Insulators, Inc., with a base bid in the amount of \$477,200, together with Alternate No.1 in the amount of \$93,700, Alternate No.2 in the amount of \$253,600 and Alternate No.3 in the amount of \$34,400 for a total contract sum of \$858,900; and

WHEREAS, the bid submitted by Hygrade Insulators, Inc., conforms in all material respects to the bid specifications and it is the Board's desire to award the contract for the Project to Hygrade Insulators, Inc.;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby awards the contract for Contract No. 1, Roof Replacement at Bergenfield High School to Hygrade Insulators, Inc., in a total contract sum of \$858,900, representing a base bid in the amount of \$477,200, together with Alternate No.1 in the amount of \$93,700, Alternate No.2 in the amount of \$253,600 and Alternate No.3 in the amount of \$34,400.

BE IT FURTHER RESOLVED that this award is expressly conditioned upon the contractor furnishing the requisite insurance certificate and labor and materials/performance bond as required in the Project specifications, together with an AA201-Project Manning Report, an executed A-101-Standard Form of Agreement Between Owner and Contractor, A-201-General Conditions of the Contract for Construction, as prepared by the Board Attorney, within ten (10) days of the date hereof.

BE IT FURTHER RESOLVED that the Board Attorney is hereby directed to draft the agreement with the successful bidder consistent with this Resolution and with the terms contained in the bid documents approved by the Board for the Project. The Board President and Secretary are hereby authorized to execute such agreement and any other documents necessary to effectuate the terms of this Resolution.

Voting YES: Trustee D'Esposito, Trustee Messina, Trustee Wada,
Vice President Ryder and President Amara

Voting NO: None

Abstaining: None

The motion was passed.

10. Trustee Messina moved and Trustee Wada seconded to go to Private Session. The Board will not return to Public Session.

Voice Vote: 5 YES 0 NO

TPE/de