

RESOLUTION

WHEREAS, on March 9, 2026, sanitary sewage was discovered leaking into the road at Old Short Hills Road (County Route 527) near a sanitary sewer force main; and

WHEREAS, the Superintendent of Public Works investigated the leak and notified the Director of Engineering that there was a break in the 8-inch sanitary sewer force main running from the Short Hills Pumping Station to Northfield Avenue creating an immediate threat to the public health, safety and welfare of the affected property owners; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1, in the case of emergencies that affect the public health, safety and welfare, any contract may be negotiated or awarded for the Township of West Orange without public advertising of bids; and

WHEREAS, the Municipal Engineer on March 9, 2026 notified the Purchasing Agent of the need for an emergency contract for the performance of immediate repairs; and

WHEREAS, to address the emergency, on or about March 9, 2026, Grabowski Construction, Inc. of 770 Northfield Avenue, West Orange, N.J. 07052 was contracted to perform the emergency repair services as not doing so would have negatively affected the public health, safety, and welfare of the affected property owners of the Township of West Orange; and

WHEREAS, Grabowski Construction performed the emergency repair services; and

WHEREAS, Grabowski Construction, Inc submitted an invoice dated March 11, 2026 for services rendered for the emergency repair and construction of the 8-inch sanitary sewer force main in the amount of \$78,499.86; and

WHEREAS, the Municipal Engineer by letter dated April 6, 2026 recommends paying the costs of this emergency work; and

WHEREAS, the Township is fully compliant with the statutory requirements set forth in N.J.S.A. 40A:11-6; and

WHEREAS, sufficient funds exist for this work; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange, in the County of Essex, in the State of New Jersey that the emergency contract with Grabowski Construction, Inc. in the amount of \$78,499.86, relating to the repair of the sanitary sewer force main at Old Short Hills Road between Hansen Road and Dogwood Drive is authorized pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1; and

BE IT FURTHER RESOLVED that this work was performed pursuant to the provisions of the Local Public Contracts Law, Emergency Contracts, N.J.S.A. 40A:11-6 as the work was required to protect public health and welfare.

BE IT FURTHER RESOLVED, that the Mayor, Township Clerk, and other appropriate Township officials are hereby authorized to take any and all required actions to carry out this contract as set forth herein.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that the funds are available in the budget in the amount of \$78,499.86 for the payment of this emergency contract and the line-item appropriations number to be charged is _____.

BE IT FURTHER RESOLVED, that the emergency contract with Grabowski Construction, Inc., relating to the sanitary sewer force main repair for Old Short Hills Road is ratified from the date of commencement of the emergency until the date of adoption of this authorizing resolution.

BE IT FURTHER RESOLVED, that this Resolution shall take effect pursuant to law.

Karen J. Carnevale, RMC, Municipal Clerk

Susan Scarpa, Council President

Adopted: April 14, 2026

I certify the funds are available for this work. Account No. _____
\$78,499.86

John Ditinyak, Chief Financial Officer