

RESOLUTION

WHEREAS, on May 15, 2026, a Report of Concern was emailed to the Township regarding the condition of a block retaining wall (from Mt. Pleasant Avenue to Rand Drive) near 1057 Pleasant Valley Way; and

WHEREAS, failure of the block retaining wall was confirmed after an inspection was conducted by the Assistant Municipal Engineer; 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 for bids; and

WHEREAS, the Department of Engineering proceeded to contact Reggio Construction, Inc., to conduct the emergency repair since the Contractor is familiar with the required improvements to the block retaining wall and was readily available to perform the work; and

WHEREAS, pursuant to the Local Public Contracts Law, Emergency Contracts, N.J.S.A. 40A:11.6a the Municipal Engineer on May 28, 2026 notified the Purchasing Agent of the need to perform an emergency contract for this work; and

WHEREAS, it was concluded that to expedite the work and to perform the emergency repair of block retaining wall near 1057 Pleasant Valley Way to protect public health and safety an emergency contract would be issued to Reggio Construction, Inc.; and

WHEREAS, Reggio Construction, Inc., submitted an invoice dated July 31, 2026 for the emergency repair of the block retaining wall in the amount of **\$230,977.72**; and

WHEREAS, the Municipal Engineer by letter dated August 25, 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 that an emergency appropriation in an amount not to exceed **\$230,977.72** without authorization is awarded to Reggio Construction, Inc., for emergency repair of block retaining wall near 1057 Pleasant Valley Way 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 **\$230,977.72** 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, Reggio Construction, Inc., relating to the retaining wall and associated sidewalk along Pleasant Valley Way is ratified from the date of commencement of the emergency until the date of adoption of this authorizing resolution.

Karen J. Carnevale, RMC, Municipal Clerk

Susan Scarpa, Council President

Adopted: September 15, 2026

I certify funds are available from Account No.:

2026 Capital Account
\$230,977.72

John Dtinyak, Chief Financial Officer