

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#1

HONORING THE BOY SCOUTS OF AMERICA OF OCEAN CITY'S TROOP 32
THAT ACHIEVED THE RANK OF EAGLE SCOUT DURING THE
CALENDAR YEAR 2014

WHEREAS, Bradari Philip Altman of Ocean City's Troop 32 was honored with the presentation of the rank of Eagle Scout by the Boy Scouts of America in the calendar year 2014; and

WHEREAS, in attaining the rank of Eagle Scout, this young man has demonstrated outstanding personal qualities associated with the Boy Scouts of America and Troop 32, including integrity, courage, perseverance, sacrifice and service to others; and

WHEREAS, the Council of the City of Ocean City wishes to honor and congratulate this scout for his personal achievements of obtaining Scouting's highest rank of Eagle Scout; and

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Ocean City that Troop 32 is hereby congratulated for having Bradari Philip Altman attain the rank of Eagle Scout in the calendar year 2014; and

BE IT FURTHER RESOLVED, that the Troop Leaders and Committee are hereby applauded for their personal sacrifice, service and commitment to the Scouting Program and their guidance to this young man along the "Trail" to Eagle Scout; and

BE IT FURTHER RESOLVED, that the City Council of the City of Ocean City extends its best wishes to Bradari Philip Altman, his family and to Ocean City's Troop 32 for this special honor and for continued success in life and the unit.

Michael J. Allegretto, Councilman

Peter V. Madden, Councilman

Michael DeVlieger, Councilman

Antwan L. McClellan, Councilman

Peter J. Guinosso, Councilman

Anthony Wilson, Councilman

Keith P. Hartzell, Councilman

FILES: RES Eagle Scout 2014.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

City Clerk



CITY OF OCEAN CITY

AMERICAS GREATEST FAMILY RESORT

PROCLAMATION

ESTABLISHING OCEAN CITY'S "GREEN TEAM" FOR 2015

WHEREAS, the City of Ocean City participates in the Sustainable Jersey™ Municipal Certification Program; and

WHEREAS, a sustainable community seeks to optimize the quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, in support of these efforts, the City of Ocean City has created a "Green Team", which consists of the following members:

<u>Core Team Members</u>	<u>Position/Affiliation</u>
James V. Mallon	City Business Administrator
Joseph S. Clark, Jr.	City Purchasing Manager/Chairman of the Ocean City Shade Tree Committee/City Liaison to the Ocean City Utility Advisory Commission/Member Ocean City Board of Education
Laurie H. Howey Taylor	City Liaison to Environmental Commission
Martin A. Mozzo, Jr.	Ocean City Environmental Commission, Chairman
Matthew R. von der Hayden	Manager of Capital Planning

WHEREAS, Ocean City's Green Team provides the leadership and vision to create a sustainable community; and

NOW, THEREFORE, I, Jay A. Gillian, Mayor of the City of Ocean City, New Jersey, do hereby establish Ocean City's Green Team for 2015 and encourage them to develop initiatives supporting sustainable local government practices.

Jay A. Gillian, Mayor

ORDINANCE NO. 15-01

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF
THE REVISED ORDINANCES OF THE CITY OF OCEAN CITY
Hospitality Zone

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

Section 1.

Section 25-205.7.2 of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

25-205.7.2 Principal Uses.

The following uses shall be permitted on lots that conform to the minimum requirements contained in Section 25-205.7.5 Schedule of District Regulations.

- a. Motels
- b. Hotels
- c. Rooming and guest houses
- d. Bed and breakfasts
- e. Restaurants
- f. Retail sales
- g. Retail services
- h. Commercial parking lots
- i. Satellite Hotel
- j. Triplex
- k. Quadruplex
- l. Multi-family (5 or more dwelling units) buildings
- m. One-family and two-family dwellings on lots existing prior to the effective date of this Ordinance, subject to the **bulk requirements contained in the Schedule of District Regulations (§25-205.7.5), following:**
 - ~~1. On existing lots less than 3,000 SF subject to Corinthian C2-30/2400 bulk requirements~~
 - ~~2. On existing 3,000-3,999 SF lots, subject to Corinthian C2-30/3000 bulk requirements~~
 - ~~3. On existing lots 4,000 SF and greater in area, subject to the Corinthian C2-40/4000 bulk requirements~~
 - ~~4.~~
- n. Development of one-family and two-family dwellings on lots created subsequent to the effective date of this Ordinance requires use variance approval from the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-70(d)(1).
- ~~no.~~ Mixed-use (a building containing ~~residential and~~ non-residential use **on the lowest floor and residential use above**)
- ~~op.~~ Essential services
- ~~pq.~~ Rental Management Service

Section 2.

Section 25-205.7.5 Bulk Requirements of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

25-205.7.5 Bulk Requirements.

Lot area, lot width, lot frontage, front, side and rear yards, lot depth, building height, building coverage, and impervious surface coverage shall be in accordance with the following schedule.

Hospitality Zone

Schedule of District Regulations

Use	Minimum Lot Area (Square Feet)		Minimum Lot Width and Lot Frontage (Feet)		Minimum Yard Requirements (Feet)			Min. Lot Depth (Feet) (4)	Maximum Building Height (5) Flat-Pitched Roof	Maximum Building Coverage (percent) (7)	Maximum Impervious Coverage (percent)
	Interior	Corner	Interior	Corner	Front (1,2)	Rear	Side (Ea./Agg.)				
Hotel/Motel	10,000	10,000	100	100	Schedule B	20'	5'/10'	100	50	80	80
Bed & Breakfast, Rooming & Guest Houses; Satellite Hotel	4,000	4,000	40	40	Schedule B	20'	5'/10'	100	29' 34'	70	80
Restaurant, Retail Sales, Retail Service, Mixed-use Rental Management Service	3,000	4,000	30	40	Schedule B	20'	(14)	100	32' 37'	90	90
Parking Lot	3,000	4,000	30	40	4	4	4	100	15'	2	90
Triplex	5,500	6,000	55	60	Schedule B	20% of Depth	Schedule C	100	35	35	65
Quadruplex	6,500	7,000	65	70	Schedule B	20% of Depth	Schedule C	100	35	35	65
Multi-family (5+)	10,500	11,000	100	110	Schedule B	20% of Depth	Schedule C	100	35	35	65
C2-30/2400	2,400	3,200	30	40	Schedule B	Refer to Notes 3 and 4	Schedule C	100 75	29 34	35 45	65
C2-30/300	3,000	4,000	30	40	Schedule B	Refer to Notes 3 and 4	Schedule C	100	29 34	30 40	65
C2-40/4000	4,000	5,000	40	50	Schedule B	Refer to Notes 3 and 4	Schedule C	100	29 34	30 40	65

NOTES TO SCHEDULE:

- (1) The minimum front yard setback shall be as indicated on Schedule B, "Schedule of Front Yard Setback Depths by Street." Where development is proposed on lots adjacent to a street not listed on Schedule B, the front yard shall be the average setback of the adjacent buildings on the entire block, as determined from a certified survey provided by the applicant/owner.
- (3) The minimum required rear setback shall be: 20% of lot depth for non-alley lots and for lots having less than 100 feet of depth; 25% of lot depth for alley lots and for lots having a depth of 100 feet or more.

- (4) The rear yard setback required to the enclosed habitable portion of the building may be reduced a distance equal to the distance by which the required front yard setback to the building exceeds ten (10) feet. Nonhabitable building area, such as porches, decks and landings may extend not more than six (6) feet into the required rear yard. In no case shall this rear yard setback be less than seven and-one-half (7.5) feet.
- (5) Building Height for Hotel, Motel, Satellite Hotel, Bed & Breakfast, Rooming House, Guest House, Triplex, Quadruplex, Multi-family, **Restaurant, Retail Sales, Retail Service, and Mixed-Use** shall be measured from **Base Flood Elevation plus one (1) foot (BFE+1) Zoning Flood Elevation**, or 14.5 feet above grade when mechanical parking lifts are used for at least 75% of required parking, whichever is higher.
~~Building Height for Restaurant, Retail Sales, Retail Service, Mixed-use, measured from street centerline.~~
Building Height for "Corinthian" residential dwellings measured from Zoning Flood Elevation.
- (6) Lots containing more than one use shall be subject to the most restrictive regulations.
- (7) Forty (40) percent Building Coverage for "Corinthian" residential dwellings requires compliance with the design incentives contained in Section 25-204.27 of the City Code.
- (14) No side yard shall be required for Restaurant, Retail Sales, and Retail Services. Two (2) side yards of not less than four feet (4') each shall be required for second and third floor residential uses, and parking lots.

Section 3.

This Ordinance shall take effect in the time and manner prescribed by law.

Jay A. Gillian, Mayor

Anthony P. Wilson, Council President

The above Ordinance was taken up by the Council of Ocean City, New Jersey, at a meeting of said Council held on the **22nd** day of **January, 2015** and will taken up for a second reading and final passage at a meeting of said Council held on the **26th** day of **February, 2015** in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

Sheila Cottrell, Deputy City Clerk

Ordinance 15 - 01

Summary –

The bulk requirements for residential use referenced in §25-205.7.2.m are not necessary and are removed in deference to the Schedule of District Regulations.

The structural format for a *mixed-use building* is clarified in Section 1.

Due to the prevailing depth of the smaller lots in the zone, The Schedule of District Regulations is revised to reduce the required lot depth from 100 feet to 75 feet.

Section 2 provides that building height for all non-residential, multiple dwelling and mixed-use buildings will be measured from BFE+1 instead of the street centerline.

October 22, 2014

ORDINANCE NO. 15-02

AMENDING AND SUPPLEMENTING CHAPTER V "GENERAL LICENSING"
OF THE REVISED GENERAL ORDINANCES OF THE
CITY OF OCEAN CITY, NEW JERSEY

PEDDLERS, HAWKERS AND VENDORS

5-11.1 Purpose.

The purpose of this section is to:

- a. Maintain the quiet, peaceful atmosphere of the City.
- b. Discourage and/or prevent unethical and dishonest business practices, and
- c. Provide for, and promote the general health, safety and welfare of the citizens and residents of Ocean City.

(Ord. #08-21, § 1; Ord. #10-04, § 1)

5-11.2 License Required.

It is the intention of the City of Ocean City to award, to the highest qualified bidder(s), a limited number of concession licenses for the purpose of sales of food, ice cream and beverage related products at designated City owned street ends and ~~designated~~ rights-of-way during the established summer season. (Ord. #08-21, § 2; Ord. #10-04, § 1)

5-11.3 Definitions.

As used in this section:

Bicycle cart shall mean any form of box or container placed upon or mounted on a bicycle frame, with three (3) or more wheels and chain driven and approved by the County Department of Health.

Motor vehicle shall be defined in accordance with N.J.S.A. 39:1-1 et seq.

Peddlers, hawkers and vendors shall mean and include any person, whether a resident of the City or not, walking, standing, sitting, or traveling by vehicle or otherwise, from street to street, from place to place, or from house to house, selling, displaying for sale or offering for sale any items, merchandise, product or food substance of any kind.

Person shall mean and include the singular and the plural and shall also mean and include any person, firm or corporation, association, club, co-partnership or society, or any other organization.

Vehicle shall include both motor vehicles and bicycle carts.

(Ord. #08-21, § 3; Ord. #10-04, § 1)

5-11.4 Number of Licenses Restricted.

- a. The number of licenses issued annually ~~offor~~ motorized vehicles to peddle food or food related products, shall be limited to four (4). ~~No vendor shall be permitted to bid on or obtain more than two (2) licenses in this category annually.~~
- b. The number of licenses issued annually ~~offor~~ bicycle carts to peddle food or food related products, shall be limited to ~~twenty-two~~ twelve (2012). ~~No vendor shall be permitted to bid on or obtain more than ten (10) licenses in this category annually.~~
- c. All licenses issued under this section shall be non-transferable without the prior written permission of both the City's Business Administrator and Purchasing Manager. Each license shall bear the number of the vehicle or bicycle cart to which it is issued; and, each vehicle or bicycle cart shall display a distinct number.
- d. ~~After payment of the annual license fee and associated fees has been received (no later than April 30th of the current year), the City shall issue a numbered sticker which shall be firmly affixed to the appropriate assigned vehicle. Stickers shall be nontransferable between vehicles and carts. Further, each vendor shall be required to annually submit a written list stating to which vehicle(s) and/or bicycle(s) the sticker has been assigned. This list shall remain on file with the Mercantile Office for reference and review as may be~~

~~required throughout the year.~~ The annual license fees must be paid by April 30th of the current year.

(Ord. #08-21, § 4; Ord. #10-04, § 1; Ord. #11-29, § 1)

5-11.5 Badges.

The ~~Mercantile~~-Licensing Office shall issue to each licensee at the time of delivery of his license, a badge, which shall contain the words "Licensed Peddler" and "Ocean City" and the year of the current issue, which badge shall, during the time such licensee is engaged in peddling, be worn constantly by the licensee on the front of his outer garment in such a way as to be conspicuous. Badges shall only be issued during specific day(s) and time(s) to be designated by the ~~Mercantile~~-Licensing Office. The number of badges issued to any one business shall be limited to a total of two (2) per vehicle. Each additional badge or replacement badge shall be charged a set fee as provided in Schedule A.*

(Ord. #08-21, § 5; Ord. #10-04, § 1)

***Editor's Note:** Schedule A may be found in Chapter XXX of these Revised General Ordinances.

5-11.6 Licenses.

~~Licenses~~-Operators are required to wear their licenses during hours of operation and are required to exhibit their licenses at the request of any citizen with whom they seek to do business. (Ord. #08-21, § 6; Ord. #10-04, § 1)

5-11.7 General Regulation.

- a. Food products sold from both motorized and bicycle carts shall be limited to the following items: hot dogs, hamburgers, cold sandwiches, soda, water, candy, soft pretzels, potato chips, popcorn, cake, ice cream products, water ice and other frozen confectionary products.
- b. No person, whether licensed hereunder or not, shall be permitted to engage in activities described in subsection 5-11.3 before the hour of ~~10~~1:00 a.m., prevailing time, or after ~~sunset~~ 6:00 p.m. in any particular day.
- c. No person, whether licensed hereunder or not, shall double park a motor-driven vehicle or bicycle cart of any type upon a public roadway or street for the purpose of engaging in the activities described herein per N.J.S.A. 39:4-128.7.
- d. No person, whether licensed hereunder or not, shall park a motor-driven vehicle or bicycle cart, except in ~~a lawful parking place~~ an area designated for parking, for the purpose of engaging in the activity described herein per N.J.S.A. 39:4-128.7.
- e. No person, whether licensed hereunder or not, shall park a motor driven vehicle or bicycle cart in any lawful parking place for a period exceeding thirty (30) minutes or portion thereof, during any hour of the day at permitted "beach" street end or designated space. The thirty (30) minutes starts at the time of arrival. A vehicle may not return to same location for a period of one (1) hour from the time of departure. For example, if a vendor arrives at 10:00 a.m. and departs at 10:30 a.m., it cannot return until 11:30 a.m. to that location.
- f. No person licensed under this section shall sell or offer for sale any product within ~~two hundred (200') feet~~ of any food-related retail or wholesale establishment or business. ~~Additionally, vending at 34th Street shall be prohibited.~~
- g. No person operating either a motorized vehicle or bicycle cart shall utilize any device other than a hand bell as approved by the City of Ocean City for the purpose of selling or assisting in the sale of any product listed in connection with this section. The hand bell may not be rung for more than five (5) seconds at any given time for a maximum of two (2) consecutive ringings. Repetitive bell ringing shall be strictly prohibited ~~under N.J.S.A. 39:3-64~~. The actual sale of any products by the licensees or their agents on any portion of the beach, beach ramp, dune walkovers, or the boardwalk within the City shall be strictly prohibited. Any activity assisting in the sales of any products on any portion of the beach within the City shall not occur within a minimum of fifty (50') feet of any beachgoer. Additionally, any activity assisting in the sales of any products on any portion of the beach

ramp, dune walkovers or the boardwalk within the City shall not occur within a minimum of twenty (20') feet of any beachgoer. The usage of handheld signs and loud yelling either on the beach or at the beach entrances shall be strictly prohibited.

- h. No person licensed under this section shall sell or offer for sale any product within five hundred (500') feet of any property used as a ~~grade or junior high or middle~~ school from one (1) hour before the regular school day to one (1) hour after the regular school day; provided, this subsection shall not apply on days when school is not attended by children nor on school property when vending has been approved in writing by the Board of Education.
- i. No more than one (1) ~~motor-driven vehicle~~ and or one (1) bicycle cart may be stopped at one (1) location for the purpose of selling food-related items in accordance with this section. (Example, ~~two~~one (21) bicycle carts ~~and~~ ~~two~~one (21) motor vehicles at the same location, at the same time is prohibited)
- j. The name of the company and telephone number shall be clearly marked and visible on each vehicle. All signage shall be professionally produced and approved by the City as to clarity and visibility.
- k. The price(s) of the product(s) shall be clearly visible on each vehicle.
- l. No person, whether licensed hereunder or not, shall park a motor-driven vehicle or bicycle cart that prohibits access to a pedestrian or vehicle egress or within twenty-five (25') feet of such access.
- m. No person operating either a motorized vehicle or bicycle cart shall utilize any music or pre-recording for the purpose of selling or assisting in the sale of any product listed in connection with this section.
- n. ~~No person shall be permitted for the purpose of~~All persons selling or assisting in the sale ~~or the actual sale of~~ any product listed in connection with this section ~~without being~~shall be properly attired. Shirts ~~must~~shall be worn at all times. ~~Sleeveless shirts are prohibited.~~
- o. All vehicles and bicycle carts shall require proof of current, ~~inspection~~-satisfactory Cape May County Board of Health ~~report~~inspection.
- p. All motor vehicles shall require both satisfactory New Jersey Division of Motor Vehicle and Ocean City Police Department inspections.
(Ord. #08-21, § 7; Ord. #10-04, § 1; Ord. #11-29, § 2)

5-11.8 Expiration of License.

- a. The initial term of the license shall be awarded for a period of twelve (12) months. Providing that the licensee is not in violation of the section, the license may be extended for an additional twenty-four (24) month period, but shall not exceed a maximum term of thirty-six (36) months in accordance with N.J.S.A. 40A:11-15(22). The option for renewal shall be at the sole discretion of the City and shall be based upon the recommendation of the City Administration and the approval of the City Council.
 - 1. Prior to any renewal, all holders of a peddler's license issued by a County Clerk of the State of New Jersey in accordance with N.J.S.A. 45:24-9, et seq. shall produce and submit to the City's License Inspector proof of residency as required under N.J.S.A. 45:24-9, et seq.
- b. The City shall notify the vendor a minimum of sixty (60) days prior to the expiration of the license of its intent to extend the license for the maximum time period.
- c. In the event that the City decides to terminate the license prior to its expiration, the licensee shall be notified in writing. Notification shall occur no less than ~~three~~ninety (~~3~~90) ~~months~~-days prior to the established date of termination. In the event of termination, except termination as a result of proceedings under subsection 5-11.9, licensee shall be entitled to continue operation for the balance of the current license year. The City shall not have any liability for any subsequent license years that may have remained under the original license.
(Ord. #08-21, § 8; Ord. #10-04, § 1; Ord. #11-29, § 3)

5-11.9 Revocation of License.

- a. Licenses issued under the provisions of this section may be revoked by the City Council after notice and hearing for any of the following causes:
 1. Fraud, misrepresentation, or false statement, made under this section;
 2. Fraud, misrepresentation, or false statement, made in the course of carrying on his business as a licensee under this section;
 3. Any violation of this section;
 4. Conviction of any crime or ~~misdemeanor~~ offense involving moral turpitude;
 5. Conducting business as a licensee under this section in an unlawful manner or in such a manner as to constitute a breach of the peace ~~if it constitutes~~ or menace to the health, safety or general welfare of the public;
 6. Failure to pay fees by established date of April 30th of current year.
- b. Notice of the hearing for revocation of a license shall be given in writing, specifically setting forth ~~specifically~~ the grounds of complaints and the time and place of hearing. Such notice shall be mailed, ~~post prepaid~~, to the licensee at his last known address at least five (5) days prior to the date set for this hearing. (The address given on the license shall be prima facie evidence of his last known address.) The licensee shall be entitled to representation by counsel, and shall have the right to cross-examine witnesses and produce testimony on his behalf. Licensees whose license is revoked pursuant to this section shall have no right to continue operation or receive any refund of license fees paid. (Ord. #08-21, § 9; Ord. #10-04, § 1; Ord. #11-29, § 4)

5-11.10 Records.

The Department of Police shall report to the ~~Mercantile~~-Licensing Office all convictions for violation of this section and the ~~City Clerk~~ Licensing Office shall record the reports of violations on the record of the licensee. (Ord. #08-21, § 10; Ord. #10-04 § 1; Ord. #11-29, § 5)

5-11.11 Mercantile License Fees.

- a. At the time of the issuance of the license, each licensee shall pay a Mercantile License Fee as follows:
 1. Motor Vehicle Vending License - Three hundred (\$300.00) dollars per truck/motor vehicle.
 2. Bicycle Cart Vending Licenses - One hundred fifty (\$150.00) dollars for the first licensed cart and seventy-five (\$75.00) dollars per each additional bicycle cart.
 3. Each mercantile license fee holder shall pay an added tourism assessment fee, which shall be fifty (50%) percent of the cost of the Vending License Fee set forth above. (Ord. #08-21, § 11; Ord. #10-04, § 1; Ord. #11-29, § 6)

5-11.12 Depots.

- a. Licensees shall maintain a base of operation (depot) where vehicles will be stored and/or housed during off hours. Depots shall be in strict conformance with all applicable zoning and health codes of the State of New Jersey, and the county and municipality within which the depot is located.
- b. Each licensee shall be required to supply to the City a listing and a photograph of the motorized vehicles and bicycle carts that are to be utilized hereunder. Each motorized vehicle and bicycle cart shall display a number, which number will be noted on the license corresponding to such vehicle or bicycle cart. All motor vehicles shall be properly licensed by the State of New Jersey and shall be registered and inspected for use as prescribed in N.J.S.A. 39:3-64.1. (Ord. #08-21, § 12; Ord. #10-04, § 1)

5-11.13 Regulation and Restriction of Balloon Sale.

Notwithstanding any other provision of this section, the number of licenses to sell or exhibit for sale balloons of any sorts at any locations on the Ocean City Boardwalk, shall be limited to five (5). The license issued by the ~~Mercantile~~-Licensing Office shall designate a street end or area where the licensee shall be authorized to sell balloons. The licensee must remain at that

street end or area and shall not be permitted to sell balloons on any other area of the boardwalk. (Ord. #08-21, § 13; Ord. #10-04, § 1)

5-11.14 Exemption.

Persons honorably discharged from the military service possessing a peddler's license issued by a County Clerk of the State of New Jersey in conformity with N.J.S.A. 45:24-9 and 10 are authorized to vend products in accordance with this section upon the submittal and approval of the required forms and the payment of the processing and records fee. Complete applications shall be received no sooner than February 1st of the current calendar year and no later than April 30th of current calendar year.

- a. At the time of the issuance of the license, each licensee shall pay a processing fee as follows:
 1. Motor Vehicle Vending License – Two hundred fifty (\$250.00) dollars per truck/motor vehicle.
 2. Bicycle Cart Vending Licenses – One hundred (\$100.00) dollars per licensed bicycle cart.
(Ord. #08-21, § 14; Ord. #10-04, § 1; Ord. #11-29, § 7)

5-11.15 Insurance Requirements.

All licensees licensed under this section shall maintain a Public Liability Insurance Policy, covering all motor vehicles and/or bicycle carts to be licensed, for personal injury and property damage as follows:

- a. *General Liability Insurance.*
 1. General liability limits of one million (\$1,000,000.00) dollars each occurrence and one million (\$1,000,000.00) dollars aggregate products and completed operations.
- b. *Automobile Liability Insurance.*
 1. Automobile liability insurance covering contractor for claims arising from owned, hired and non-owned vehicles with limits of not less than one million (\$1,000,000.00) dollars any one person and one million (\$1,000,000.00) dollars any one accident for bodily injury and one million (\$1,000,000.00) dollars each accident for property damage, shall be maintained in full force during the duration of the contract.
- c. *Worker's Compensation Insurance.*
 1. Workers Compensation Insurance shall be maintained in full force during the life of the contract, covering all employees engaged in the performance of the contract pursuant to N.J.S.A. 34:15-12(a) and N.J.S.C. 12:235.

Prior to the issuance of any license the licensee shall issue proof to the Mercantile Office of these insurance requirements. If coverage expires during the term of the license for any reason, proof of renewal or replacement coverage shall be provided to the Mercantile Office prior to the date the initial coverage expires.

(Ord. #08-21, § 15; Ord. #10-04, § 1)

The above Ordinance was taken up by the Council of Ocean City, New Jersey, at a meeting of said Council held on the **22nd** day of **January, 2015** and will taken up for a second reading and final passage at a meeting of said Council held on the **12th** day of **February, 2015** in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

Sheila Cottrell, Deputy City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

PURCHASING DIVISION

MEMORANDUM

To: James V. Mallon, City Business Administrator

From: Joseph S. Clark, QPA, City Purchasing Manager 

Date: January 16, 2015

Re: **City Contract # 15-06, Concession Licenses for the Sale of Food, Ice Cream & Beverage Related Products at Designated City Owned Street Ends**

From the inception of the Concession License for the Sale of Food, Ice Cream & Beverage Related Products at Designated City Owned Street Ends Contract the City was aware that over time this contract and related City Ordinance would evolve to more adequately address the City's needs and at the same time deal with unforeseen issues that arose along the way. Over the past three (3) years, I have worked with the concession license holders, Code Enforcement and our City Solicitor to work through many of these ongoing issues. At this point we are recommending the second revision to the Ordinance which will modify the following:

- * **Number of Bicycle Cart Licenses** - reduce the number of bicycle cart licenses from twenty (20) to twelve (12). Under the original contract (2008) the City offered twenty-five (25) licenses, which were subsequently reduced down in 2012 to twenty (20) under the first revision of the Ordinance and second letting of the contract. At this time we are recommending that the number of licenses be further reduced to twelve (12). Under the most recent contract (2012-2014), bids were received for only twelve (12) of the twenty (20) available bike licenses. Also in the previous Ordinance and contract documents, a single bidder was precluded from bidding on all of the available licenses. Under the proposed changes that limitation has been lifted. Thus in theory a single bidder could obtain all of the available licenses, if they were the high bidder on each.
- * **Hours of Operation** - under the existing Ordinance the hours of operation are 10:00 AM to sunset. The proposed Ordinance changes the hours to 10:00 AM to 6:00 PM. This proposed change is much easier to enforce, since it is a set time daily and won't vary with the setting of the sun.
- * **Minimum Bid on the Truck Licenses** - the minimum bid on the truck licenses was previously set at \$1,500.00 and is now being proposed to be raised to \$2,000.00. This recommendation was based on the dollar amounts that were received for the four (4) existing licenses in the previous bid process. All of which were slightly higher than \$2,000.00. Traditionally, we advance our minimum bid amounts to follow the previous bids that were received.

- * **Number of Trucks or Bicycle Carts Permitted in a Street End at One Time** - under the existing Ordinance both a truck and a bicycle cart are permitted to be in a street end at the same time. The proposed Ordinance will limit this to either one (1) truck or one (1) bicycle cart at a time. The majority of the issues that we had to deal with over the past three (3) years were based around this one single situation. A further examination revealed that by permitting the two (2) vendors in a street end at a time we inadvertently caused an unsafe situation to occur where vehicles were moving in and out of spaces while children and beach patrons were walking about. By limiting access to the street end to a single truck or bicycle cart at a time, this unsafe situation will be greatly reduced. Further this restriction will also have the after effect of reducing the number of bell ringing in a single hour time period. Based on our discussions with the vendors there will be less movement of the carts and trucks do to the reduced competition in that given area over the allotted time period. Our experience has shown that when the second vendor entered the street end that the first vendor had a tendency to move to a new location. Thus it seemed as if there was constant bell ringing in some locations. By placing this new restriction, vendors will have a tendency to sit in place for the maximum allotted time period, which will reduce the bell ringing dramatically over the course of a day.

Hopefully this summary adequately addresses any questions that you have had concerning the proposed changes in the Ordinance, if you have any further questions please contact me at your convenience.

ORDINANCE #15-03

AN ORDINANCE AMENDING ORDINANCE #87-17, CHAPTER IV "POLICE REGULATIONS" OF THE REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY, NEW JERSEY (Jumping Off Bridges; Abandoned Bicycles)

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

SECTION 1.

Chapter IV, "Police Regulations," Section 4-41, "Jumping From Bridge" is hereby added, as follows:

4-41 JUMPING FROM BRIDGE.

It shall be unlawful to jump from any bridge within City limits including, but not limited to, the Route 52 Causeway bridges, the Ocean City-Longport bridge, Ocean City-Strathmere bridge, the Rush Chatten Bridge, the W. 17th Street Bridge and the 34th Street Bridge.

SECTION 2.

Chapter IV, "Police Regulations," Section 4-42, "Abandoned Bicycles" is hereby added, as follows:

4-42 ABANDONED BICYCLES.

It shall be unlawful to abandon a bicycle on public property within City limits. An abandoned bicycle shall be tagged with notice that it must be moved within three (3) days, after which it will be impounded. Impounded bicycles which remain unclaimed by their owners shall be released to the Purchasing Division for auction after six (6) months, unless so deteriorated that they have no value, in which case they will be discarded. A bicycle shall be deemed abandoned if it is located on public property and is not moved for a period of seven (7) days.

SECTION 3.

All ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

SECTION 4.

If any portion of this Ordinance is declared to be invalid by a Court of competent jurisdiction, it shall not affect the remaining portions of the Ordinance which shall remain in full force and effect.

Section 5.

This Ordinance shall take effect in the time and manner prescribed by law.

Jay A. Gillian, Mayor

Anthony P. Wilson, Council President

The above Ordinance was taken up by the Council of Ocean City, New Jersey, at a meeting of said Council held on **22nd day of January, 2015**, and was taken up for a second reading and final passage at a meeting of said Council held on **12th day of February, 2015** in Council Chambers, City Hall, Ocean City, New Jersey at **7:00 o'clock** in the evening.

Sheila Cottrell, Deputy City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

Memo

DATE: January 16, 2015
TO: City Council
FROM: Dorothy F. McCrosson, Esquire
RE: Ordinance Amending Police Regulations to Prohibit Jumping Off Bridges and Regulating Abandoned Bicycles

The attached Ordinance is offered at the request of Police Chief Callahan. Upon adoption, it would add two provisions to the Police Regulations in the Administrative Code and provide a basis for the Ocean City Police to address situations which are currently unregulated.

The first new provision would make it unlawful to jump off any bridge within Ocean City.

The second new provision would provide a means for the Police to deal with abandoned bicycles.

ORDINANCE NO. 15-04

A BOND ORDINANCE APPROPRIATING \$5,000,000.00 AND AUTHORIZING THE ISSUANCE OF \$4,750,000.00 IN BONDS AND NOTES OF THE CITY OF OCEAN CITY FOR THE VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF OCEAN CITY, NEW JERSEY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OCEAN CITY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, (not less than two-thirds of members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this Bond Ordinance are hereby respectively authorized as general improvements to be made or acquired by Ocean City, New Jersey for said several improvements or purposes stated in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$5,000,000.00 including the aggregate sum of \$250,000.00 from Capital Improvement Fund as the several down payments for said improvements for purposes required by law and more particularly described in Section 3 and now available therefore by virtue of a provision in a previously adopted budget or budgets of the City for down payment or for capital improvement or purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$5,000,000.00 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the City of Ocean City are hereby authorized to be issued in the principal amount of \$4,750,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$4,750,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriations made for an estimated cost of each purpose (in each case, including all work or materials necessary therefore or incidental thereto, and as shown on and in accordance with the plans and specifications therefore on file in the Office of the City Clerk and hereby approved), and the estimated maximum amounts of bonds or notes to be issued for each such purpose, are respectively as follows:

SEE ATTACHED SECTION 3

The excess of the appropriations made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared and recited as stated:

(a) The said purposes described in Section 3 of this Bond Ordinance are not current expenses and are each a property or improvement which the City may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance is 5.00 years.

(c) The supplemental debt statement required by the said law has been duly made and filed in the Office of the City Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statements show that the gross debt of the City as defined in said law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance by \$4,750,000.00 and the said obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$1,000,000.00 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering cost and other items of expense listed in and permitted under Section 40A:2-20 of said Law, may be included as part of the cost of said improvements are included in the foregoing estimate therefore.

Section 5. The funds from time to time received by the City on account of any grant or monies referred to in Section 1 of this Bond Ordinance shall be used for financing the improvement or purpose described in Section 3 of this Bond Ordinance, by application thereof, either to direct payment of the costs of said improvements or purpose, or to payment or reduction of the amount of the obligations of the City authorized by this Bond Ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the City as funds applicable only to the payment of obligations of the City authorized by this Bond Ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer; provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this Ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such terminations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver the same to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Administrator and Council at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this Ordinance is made. Such report must include the amount, the description, the interest rate, the maturity schedule of the notes sold, and price obtained and the name of the purchaser.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of said obligations and interest thereon without limitations of rate or amount.

Section 10. The Capital Budget of the City of Ocean City is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistencies created hereby. To the extent of any inconsistencies, a revised budget has been filed with the Division of Local Government Services.

Section 11. The Bond Ordinance shall take effect twenty (20) days after first publication thereof after final adoption, as provided by said Local Bond Law.

Jay A. Gillian, Mayor

Anthony P. Wilson, Council President

Section 3 of Bond Ordinance 15-04

Improvement or Purpose

(A) Lagoon and Back Bay dredging program including but not limited to, permitting, engineering, and dredging of lagoons and bayfront areas, as well as the preparation and emptying of one or more confined disposal facility sites.

Improvement Authorization	Estimated Maximum Amount of Bonds or Notes		Useful Life
\$ 5,000,000	\$	4,750,000	5
<u>\$ 5,000,000</u>	<u>\$</u>	<u>4,750,000</u>	<u>5.00</u>

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

SPECS AVAILABLE IN
CITY CLERK'S OFFICE

#2

RESOLUTION

**TO AUTHORIZE THE ADVERTISEMENT OF SPECIFICATIONS FOR CITY
CONTRACT #15-06, CONCESSION LICENSES FOR THE SALE OF FOOD, ICE CREAM &
BEVERAGE RELATED PRODUCTS AT DESIGNATED CITY OWNED STREET ENDS**

BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #15-06, Concession Licenses for the Sale of Food, Ice Cream & Beverage Related Products at Designated City Owned Street Ends.

Anthony P. Wilson
Council President

Note: Legal advertisement will be placed in the Ocean City Sentinel on Wednesday, January 28, 2015 with the bid opening scheduled on Thursday, February 12, 2015 and an anticipated date of award on Thursday, February 26, 2015.

Files: RAU 15-06, Concession Licenses.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 20

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

PURCHASING DIVISION

MEMORANDUM

To: James V. Mallon, City Business Administrator

From: Joseph S. Clark, QPA, City Purchasing Manager

Date: January 16, 2015

Re: City Contract # 15-06, Concession Licenses for the Sale of Food, Ice Cream & Beverage Related Products at Designated City Owned Street Ends

From the inception of the Concession License for the Sale of Food, Ice Cream & Beverage Related Products at Designated City Owned Street Ends Contract the City was aware that over time this contract and related City Ordinance would evolve to more adequately address the City's needs and at the same time deal with unforeseen issues that arose along the way. Over the past three (3) years, I have worked with the concession license holders, Code Enforcement and our City Solicitor to work through many of these ongoing issues. At this point we are recommending the second revision to the Ordinance which will modify the following:

- * **Number of Bicycle Cart Licenses** - reduce the number of bicycle cart licenses from twenty (20) to twelve (12). Under the original contract (2008) the City offered twenty-five (25) licenses, which were subsequently reduced down in 2012 to twenty (20) under the first revision of the Ordinance and second letting of the contract. At this time we are recommending that the number of licenses be further reduced to twelve (12). Under the most recent contract (2012-2014), bids were received for only twelve (12) of the twenty (20) available bike licenses. Also in the previous Ordinance and contract documents, a single bidder was precluded from bidding on all of the available licenses. Under the proposed changes that limitation has been lifted. Thus in theory a single bidder could obtain all of the available licenses, if they were the high bidder on each.
- * **Hours of Operation** - under the existing Ordinance the hours of operation are 10:00 AM to sunset. The proposed Ordinance changes the hours to 10:00 AM to 6:00 PM. This proposed change is much easier to enforce, since it is a set time daily and won't vary with the setting of the sun.
- * **Minimum Bid on the Truck Licenses** - the minimum bid on the truck licenses was previously set at \$1,500.00 and is now being proposed to be raised to \$2,000.00. This recommendation was based on the dollar amounts that were received for the four (4) existing licenses in the previous bid process. All of which were slightly higher than \$2,000.00. Traditionally, we advance our minimum bid amounts to follow the previous bids that were received.

- * **Number of Trucks or Bicycle Carts Permitted in a Street End at One Time** - under the existing Ordinance both a truck and a bicycle cart are permitted to be in a street end at the same time. The proposed Ordinance will limit this to either one (1) truck or one (1) bicycle cart at a time. The majority of the issues that we had to deal with over the past three (3) years were based around this one single situation. A further examination revealed that by permitting the two (2) vendors in a street end at a time we inadvertently caused an unsafe situation to occur where vehicles were moving in and out of spaces while children and beach patrons were walking about. By limiting access to the street end to a single truck or bicycle cart at a time, this unsafe situation will be greatly reduced. Further this restriction will also have the after effect of reducing the number of bell ringing in a single hour time period. Based on our discussions with the vendors there will be less movement of the carts and trucks do to the reduced competition in that given area over the allotted time period. Our experience has shown that when the second vendor entered the street end that the first vendor had a tendency to move to a new location. Thus it seemed as if there was constant bell ringing in some locations. By placing this new restriction, vendors will have a tendency to sit in place for the maximum allotted time period, which will reduce the bell ringing dramatically over the course of a day.

Hopefully this summary adequately addresses any questions that you have had concerning the proposed changes in the Ordinance, if you have any further questions please contact me at your convenience.

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#3

**AUTHORIZING THE AWARD OF CITY CONTRACT #14-39,
 INSTALLATION OF TRACK SURFACE AT CAREY FIELD**

WHEREAS, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, November 19, 2014, the Notice to Bidders was posted on the City of Ocean City's website, www.ocnj.us and the Invitation to Bid was distributed to four (4) prospective bidder(s); and

WHEREAS, bid proposals were opened for City Contract #14-39, Installation of Track Surface at Carey Field on Tuesday, December 2, 2014 and three (3) bid proposals were received per the attached Summary of Bid Proposals; and

WHEREAS, Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Arthur Chew, P.E., Assistant City Engineer; Roger Rinck, Manager Specialist; Mathew von der Hayden, Manager of Capital Planning; Dorothy F. McCrosson, Esq., City Solicitor; Janice L. Mruz, Principal Clerk; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager reviewed the three (3) bid proposals and specifications and recommended that the contract be awarded to All Surface Asphalt Paving, Inc., the lowest responsible bidder; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey, that City Contract #14-39, Installation of Track Surface at Carey Field be and is hereby awarded to the following lowest responsible bidder:

All Surface Asphalt Paving, Inc.
528 Hardenberg Avenue
Point Pleasant, NJ 08742

Item	Description	Quantity	Unit Cost	Total Cost
Base Bid				
1	Soil Erosion & Sediment Control	1 LS	\$ 19,800.00	\$ 19,800.00
2	Excavation, Unclassified	250 CY	\$ 20.00	\$ 5,000.00
3	Dense Graded Aggregate Base Course, 6" Thick	1,050 SY	\$ 13.00	\$ 13,650.00
4	HMA Profile Milling	4,500 SY	\$ 4.00	\$ 18,000.00
5	Hot Mix Asphalt Base Course, Mix 19M64, 3" Thick	1,050 SY	\$ 15.00	\$ 15,750.00
6	Hot Mix Asphalt Surface, Mix 9.5M64, 1 1/2" Thick	5,250 LF	\$ 13.00	\$ 68,250.00
7	12" High Density Polyethylene Culvert Pipe, Perforated	980 LF	\$ 35.00	\$ 34,300.00
8	12" High Density Polyethylene Culvert Pipe, 90 Clean Out	1 UNIT	\$ 700.00	\$ 700.00
9	24" High Density Polyethylene Culvert Pipe	40 LF	\$ 50.00	\$ 2,000.00
10	24" High Density Polyethylene Culvert Pipe, Perforated	40 LF	\$ 70.00	\$ 2,800.00
11	24" High Density Polyethylene Culvert Pipe, T Clean Out	1 UNIT	\$ 1,000.00	\$ 1,000.00
12	Slot Drain, Encased in Concrete	1,500 LF	\$ 36.00	\$ 54,000.00
13	Inlets, Type "E"	1 UNIT	\$ 4,500.00	\$ 4,500.00
14	Weir Chamber	1 UNIT	\$ 4,000.00	\$ 4,000.00
15	Inlet, Slot Drain In-Line Catch Basin	6 UNIT	\$ 600.00	\$ 3,600.00
16	Concrete Curb Nailer	1,000 LF	\$ 16.00	\$ 16,000.00
17	Synthetic Track Surface	5,250 SY	\$ 53.00	\$ 278,250.00
18	Discus Area Install	1 LS	\$ 8,500.00	\$ 8,500.00
19	Pole Vault Area Install	1 LS	\$ 9,500.00	\$ 9,500.00
20	Long Jump Area Install	1 LS	\$ 9,500.00	\$ 9,500.00
21	Shot Put Area Install	1 LS	\$ 6,500.00	\$ 6,500.00
22	Turf Repair Strip	3,500 LF	\$ 0.50	\$ 1,750.00
Total Amount Bid for Base Bid Items 1-22				\$ 577,350.00

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

BE IT FURTHER RESOLVED that the Mayor and the City Purchasing Manager are hereby authorized to enter into a contract with All Surface Asphalt Paving, Inc., 528 Hardenberg Avenue, Point Pleasant, NJ 08742 for City Contract #14-39, Installation of Track Surface at Carey Field as listed and in accordance with the bid specifications and the bid proposal form.

The Director of Financial Management certifies that funds are available and shall be charged to the following Capital Account #'s: C-04-55-276-201 - \$35,587.50, C-04-55-284-501 - \$423,679.00 & C-04-55-290-100 - \$118,083.50.

CERTIFICATION OF FUNDS

Frank Donato, III, CMFO
Director of Financial Management

Anthony P. Wilson
Council President

Files: RAW 14-39 Track Carey Field.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of
said Council duly held on the day of 20

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVreger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk



PURCHASING DIVISION
SUMMARY OF BIDS

CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

BY THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NJ

DATE RECEIVED: Tuesday, December 2, 2014 2:04 PM, EST
CITY CONTRACT #: 14-39
PROPOSAL NAME: Installation of Track Surface at Carey Field

NAME, ADDRESS & BID OF EACH BIDDER		All Surface Asphalt Paving, Inc.	American Athletic Courts, Inc.	Fred M. Schiavone Construction, Inc.								
Engineer's Estimate: \$760,361.78		598 Hardenberg Avenue Pt. Pleasant, NJ 08742	2050 Rt. 206 Vincentown, NJ 08058	P. O. Box 416 Malaga, NJ 08228								
Lori Coe, President		John P. Nelson, Secretary	Roberta M. Schiavone, Sec. Tres.									
Ph: (732) 298-1800		Ph: (609) 859-1414	Ph: (856) 697-4338									
Fax: (732) 899-0086		Fax: (609) 859-1261	Fax: (856) 697-9612									
email: lori@allsurfacepaving.com		email: naci.nelson@comcast.net	email: Roberta@fmschiavoneconstruction.com									
ITEM	DESCRIPTION	QTY	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
BASE BID												
1	Salt Erosion & Sediment Control	1 LS	\$ 19,800.00	\$ 19,800.00	\$ 10,000.00	\$ 10,000.00	\$ 41,800.00	\$ 41,800.00	\$ -	\$ -	\$ -	\$ -
2	Excavation, Underslotted	250 CY	\$ 20.00	\$ 5,000.00	\$ 50.00	\$ 12,500.00	\$ 34.30	\$ 5,075.00	\$ -	\$ -	\$ -	\$ -
3	Dense Graded Aggregate Base Course, 6" Thick	1,050 SY	\$ 13.00	\$ 13,650.00	\$ 10.00	\$ 10,500.00	\$ 8.80	\$ 9,240.00	\$ -	\$ -	\$ -	\$ -
4	HMA Profile Milling	4,500 SY	\$ 4.00	\$ 18,000.00	\$ 10.00	\$ 45,000.00	\$ 4.40	\$ 19,800.00	\$ -	\$ -	\$ -	\$ -
5	Hot Mix Asphalt Base Course, M40, 1.5" Thick	1,050 SY	\$ 15.00	\$ 15,750.00	\$ 16.00	\$ 16,800.00	\$ 18.26	\$ 15,175.00	\$ -	\$ -	\$ -	\$ -
6	Hot Mix Asphalt Surface, M40 S100, 1 1/2" Thick	5,250 SY	\$ 13.00	\$ 68,250.00	\$ 15.00	\$ 78,750.00	\$ 9.90	\$ 51,975.00	\$ -	\$ -	\$ -	\$ -
7	12" High Density Polyethylene Curved Pipe, Perforated	580 LF	\$ 35.00	\$ 20,300.00	\$ 40.00	\$ 23,200.00	\$ 35.70	\$ 20,616.00	\$ -	\$ -	\$ -	\$ -
8	12" High Density Polyethylene Curved Pipe, 90 Clean Out	1 UNIT	\$ 700.00	\$ 700.00	\$ 1,000.00	\$ 1,000.00	\$ 583.00	\$ 583.00	\$ -	\$ -	\$ -	\$ -
9	24" High Density Polyethylene Curved Pipe	48 LF	\$ 50.00	\$ 2,400.00	\$ 250.00	\$ 12,000.00	\$ 51.60	\$ 2,476.80	\$ -	\$ -	\$ -	\$ -
10	24" High Density Polyethylene Curved Pipe, Perforated	49 LF	\$ 70.00	\$ 3,430.00	\$ 250.00	\$ 12,250.00	\$ 77.00	\$ 3,773.00	\$ -	\$ -	\$ -	\$ -
11	24" High Density Polyethylene Curved Pipe, T Clean Out	1 UNIT	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 891.00	\$ 891.00	\$ -	\$ -	\$ -	\$ -
12	Slot Drain, Encased in Concrete	1,500 LF	\$ 36.00	\$ 54,000.00	\$ 70.00	\$ 105,000.00	\$ 58.85	\$ 88,275.00	\$ -	\$ -	\$ -	\$ -
13	Inlets, Type "E"	1 UNIT	\$ 4,500.00	\$ 4,500.00	\$ 10,000.00	\$ 10,000.00	\$ 3,950.00	\$ 3,950.00	\$ -	\$ -	\$ -	\$ -
14	Weir Chamber	1 UNIT	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 3,950.00	\$ 3,950.00	\$ -	\$ -	\$ -	\$ -
15	Inlet, Slot Drain In-Line (C) 18" x 18"	6 UNIT	\$ 600.00	\$ 3,600.00	\$ 1,000.00	\$ 6,000.00	\$ 455.00	\$ 2,730.00	\$ -	\$ -	\$ -	\$ -
16	Concrete Curb Repair	1,000 LF	\$ 16.00	\$ 16,000.00	\$ 20.00	\$ 20,000.00	\$ 19.00	\$ 19,000.00	\$ -	\$ -	\$ -	\$ -
17	Synthetic Track Surface	5,250 SY	\$ 53.00	\$ 278,250.00	\$ 50.00	\$ 262,500.00	\$ 57.20	\$ 300,510.00	\$ -	\$ -	\$ -	\$ -
18	Obstacle Area Install	1 LS	\$ 8,500.00	\$ 8,500.00	\$ 12,000.00	\$ 12,000.00	\$ 7,920.00	\$ 7,920.00	\$ -	\$ -	\$ -	\$ -
19	Pole Vault Area Install	1 LS	\$ 9,500.00	\$ 9,500.00	\$ 14,000.00	\$ 14,000.00	\$ 5,060.00	\$ 5,060.00	\$ -	\$ -	\$ -	\$ -
20	Long Jump Area Install	1 LS	\$ 9,500.00	\$ 9,500.00	\$ 40,000.00	\$ 40,000.00	\$ 22,110.00	\$ 22,110.00	\$ -	\$ -	\$ -	\$ -
21	Shot Put Area Install	1 LS	\$ 6,500.00	\$ 6,500.00	\$ 10,000.00	\$ 10,000.00	\$ 6,260.00	\$ 6,260.00	\$ -	\$ -	\$ -	\$ -
22	Turf Repair Strip	3,500 LF	\$ 0.30	\$ 1,050.00	\$ 4.00	\$ 14,000.00	\$ 13.26	\$ 46,410.00	\$ -	\$ -	\$ -	\$ -
TOTAL AMOUNT BID FOR BASE BID ITEMS 1-22				\$ 577,350.00		\$ 718,750.00		\$ 713,992.00		\$ -		\$ -
REQUIRED INFORMATION												
BID DEPOSIT/BOUND		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
CONSENT OF SURETY		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
RIGHT TO EXTEND TIME FOR AWARDS		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
STOCKHOLDER DISCLOSURE STATEMENT		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NON-COLLUSION AFFIDAVIT		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NO MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NJ AFFIRMATIVE ACTION REGULATION COMPLIANCE NOTICE		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
REQUIRED SUBCONTRACTORS LISTING		YES/NO	Y (NONE)	YES/NO	Y (NONE)	YES/NO	Y (NONE)	YES/NO	Y (NONE)	YES/NO	Y (NONE)	YES/NO
OTHER SUBCONTRACTORS LISTED		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
ACKNOWLEDGMENT OF RECEIPT OF ADDENDA (CLARIFICATION)		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN STATEMENT, 2 PART FORM		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NJ BUSINESS REGISTRATION CERTIFICATE (BRC) SUBMITTED		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
BUSINESS REGISTRATION CERTIFICATE SUB CONTRACTORS (BRC) SUBMITTED		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NJ PUBLIC WORKS CONTRACTOR REGISTRATION ACT CERTIFICATE		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NO PUBLIC WORKS CONTRACTOR REGISTRATION ACT CERTIFICATE FOR SUBCONTRACTORS		YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NUMBER OF COPIES (2)			Y		Y		Y		Y		Y	



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF COMMUNITY OPERATIONS

Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

Memo

To: Joseph Clark, QPA, Purchasing Manager
From: Roger D. McLarnon, PE, PP, CFM, CME, CPWM
CC: Arthur J. Chew, III, PE, PP, CME, CFM, CPWM
Date: January 15, 2015
Re: Recommendation of Award - Contract 14-39 – Job # 5-14-039

I have reviewed the qualifications and bid prices of All Surface Asphalt Paving and find them acceptable. The company has recently worked on the resurfacing of the 34th Street tennis courts and 15th Street Playground within the City of Ocean City. ATT Sports, Inc. will be their subcontractor installing the track surface. ATT Sports, Inc. has met the qualifications for installing the track. All Surface Asphalt Paving's previous work has been generally acceptable and I have no objection with the contract being awarded to All Surface Asphalt Paving.

This project includes the removal and replacement of the track surface at Carey Field. There may also be some improvements to the base of the track that will be determined after the surface is removed. In addition to the track, improvements to the drainage of the current football field and areas adjacent to the track to allow proper drainage of the track and field are included within this scope of work. This will also as a part of the project is a track surface area at the east end of the field for high jump as well as new long jump and pole vault pits.

RDM/ rdm

N:\Engineering\5-Public Facilities\Schools\Ocean City High School\5-2014-039 INSTALLATION OF TRACK SURFACE AT CAREY FIELD\Letters\14-039 rdm Recommendation to Award 15-01-14.doc

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#4

**AUTHORIZING CHANGE ORDER #1 TO CITY CONTRACT #14-29,
MERION PARK DRAINAGE IMPROVEMENT PROGRAM**

WHEREAS, specifications were authorized for advertisement by Resolution #14-50-043 on Thursday, February 13, 2014 for City Contract #14-29, Merion Park Drainage Improvement Program; and

WHEREAS, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, February 19, 2014, the Notice to Bidders was posted on the City of Ocean City's website, www.ocnj.us and the specifications were distributed to thirteen (13) prospective bidder(s); and

WHEREAS, bid proposals were opened for City Contract #14-29, Merion Park Drainage Improvement Program on Tuesday, March 18, 2014 and seven (7) bid proposals were received; and

WHEREAS, Craig A. Wenger, CFM, Assistant Project Manager, Michael Baker Jr., Inc.; Roger D. McLamon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Arthur Chew, P.E., Assistant City Engineer; Georgia Arnold, Manager; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the bid proposals and specifications and recommended that the contract be awarded to F.W. Shawl & Sons, Inc., the lowest responsible bidder; and

WHEREAS, the City Council of Ocean City, New Jersey awarded City Contract #14-29, Merion Park Drainage Improvement Program on March 27, 2014 by Resolution #14-50-072 to **F.W. Shawl & Sons, Inc., 5 Dolores Avenue, Marmora, NJ 08223** in the amount of \$2,739,554.00; and

WHEREAS, Craig A. Wenger, CFM, Assistant Project Manager, Michael Baker Jr., Inc.; Roger D. McLamon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Arthur Chew, P.E., Assistant City Engineer; Marcia R. Chew, Senior Accountant; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk and Joseph S. Clark, QPA, City Purchasing Manager have reviewed and certified Change Order #1 to City Contract #14-29, Merion Park Drainage Improvement Program is correct as follows:

Change Order #1

Increases

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
Base Bid-Extras				
10.	10" Ductile Iron Pipe	7 LF	\$ 54.00	\$ 378.00
13.	18" Ductile Iron Pipe	67 LF	\$ 120.00	\$ 8,040.00
14.	20" Ductile Iron Pipe	19 LF	\$ 140.00	\$ 2,660.00
15.	Inlet, Type A	3 Unit	\$ 2,000.00	\$ 6,000.00
23.	Riprap Stone Channel Protection, 12" Thick (D50=6")	30 SY	\$ 5.00	\$ 150.00
25.	Concrete Sidewalk, 4" Thick	245.3 SY	\$ 50.00	\$ 12,265.00
26.	Concrete Driveway, 6" Thick	394 SY	\$ 70.00	\$ 27,580.00
27.	Detectable Warning Surface	4 SY	\$ 500.00	\$ 2,000.00
28.	8" x 18" Concrete Vertical Curb	1,165 LF	\$ 23.00	\$ 26,795.00
30.	Turf Repair Strip	3,776 LF	\$ 10.00	\$ 37,760.00
45.	Utility Conflicts	3 Unit	\$ 3,500.00	\$ 10,500.00
Total Amount of Base Bid-Extras				\$ 134,128.00
Supplementals				
S1.	Asphalt Price Adjustment-September	1 LS	\$ 10,684.40	\$ 10,684.40
S2.	Asphalt Price Adjustment-October	1 LS	\$ 7,360.20	\$ 7,360.20
S3.	Remove Storm Manhole at Somerset & Oxford Resize Opening for 20" Dia. Dip	1 LS	\$ 1,000.00	\$ 1,000.00
S4.	Repair & Add Underdrain to Drainage Structures	6 Units	\$ 300.00	\$ 1,800.00

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

Change Order #1 (Continued)

Increases (Continued)

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
Supplementals (Continued)				
S5.	Tree Removal 3706 Oxford	1 LS	\$ 5,500.00	\$ 5,500.00
S6.	Remove Sewer Manhole at Somerset & Oxford	1 LS	\$ 600.00	\$ 600.00
S7.	Remove 12" Dip & Close Manhole Opening	1 LS	\$ 1,500.00	\$ 1,500.00
S8	Gravel Hole at Westminster	1 LS	\$ 600.00	\$ 600.00
Total Amount of Supplementals				\$ 29,044.60
Total Amount of Increases for Change Order #1.....				\$ 163,172.60
Total Amount of Change Order #1 to City Contract #14-29, Merion Park Drainage Improvement Program.....				\$ 163,172.60
Total Amount of City Contract #14-29, Merion Park Drainage Improvement Program Including Change Order #1.....				\$ 2,902,726.60

WHEREAS, the new adjusted contract cost including Change Order #1 is \$2,902,726.60 an increase to the original contract of 5.96 (%) percent in the total for City Contract #14-29, Merion Park Drainage Improvement Program; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, NJ that it authorizes Change Order #1 as listed in the amount of \$163,172.60 to City Contract #14-29, Merion Park Drainage Improvement Program (PO #14-00718); and

BE IT FURTHER RESOLVED that The Director of Financial Management is authorized to process Change Order #1 to City Contract #14-29, Merion Park Drainage Improvement Program (PO #14-00718) issued to F.W. Shawl & Sons, Inc., 5 Dolores Avenue, Marmora, NJ 08223 in the amount of \$163,172.60 to be charged as following Capital Account #C-04-55-285-010.

CERTIFICATION OF FUNDS

 Frank Donato III, CMFO
 Director of Financial Management

 Anthony P. Wilson
 Council President

Files: RESCO#114-29 Merion Park Drainage.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 20

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
 City Clerk

0	0	\$0.00
0	0	\$0.00
0	0	\$0.00
0	0	\$0.00
0	0	\$0.00
0	0	\$0.00
0	0	\$0.00
0	0	\$0.00
		SUBTOTAL: \$0.00

CHANGE ORDER SUMMARY

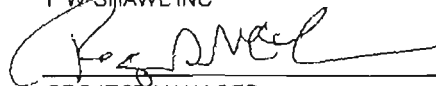
PREVIOUS CHANGE ORDERS			CURRENT CHANGE ORDER	
NO.	AMOUNT	REASON FOR CHANGE	TYPE OF CHANGE	TOTAL
1	\$163,172.60	extra items required to complete certain aspects for utility conflicts		
2			+ SUPPLEMENTAL	\$29,044.60
3				
4			+ EXTRA	\$134,128.00
5				
6			- REDUCTIONS	\$0.00
7				
8				
9				
10				

ORIGINAL CONTRACT AMOUNT	\$2,739,554.00
AMENDED CONTRACT AMOUNT	\$2,902,726.60
TOTAL CONTRACT CHANGE (AMOUNT)	\$163,172.60
TOTAL CONTRACT CHANGE (PERCENT)	5.96%

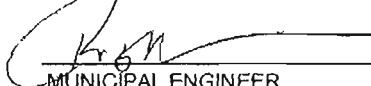
ACCEPTED BY:

F.W. SHAWL INC _____ DATE _____

APPROVED BY:

 _____ DATE 1-16-15

PROJECT MANAGER _____ DATE _____

 _____ DATE 1-16-15

MUNICIPAL ENGINEER _____ DATE _____

PURCHASING AGENT _____ DATE _____

CHIEF FINANCIAL OFFICER _____ DATE _____

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#5

**AUTHORIZING THE AWARD OF CITY CONTRACT #15-04
SUPPLY & DELIVERY OF SAND FENCE & POSTS AND POSTS & RAIL
FENCE MATERIALS (251COCCPS)**

WHEREAS, specifications were authorized for advertisement by Resolution #14-50-275 on December 18, 2014 for City Contract #15-04, Supply & Delivery of Sand Fence & Posts and Posts & Rail Fence Materials (251COCCPS); and

WHEREAS, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, December 24, 2014, the Notice to Bidders was posted on the City of Ocean City's website @ www.ocnj.us and the Invitation to Bid was distributed to three (3) prospective bidder(s) for City Contract #15-04, Supply & Delivery of Sand Fence & Posts and Posts & Rail Fence Materials (251COCCPS); and

WHEREAS, bid proposals were opened for City Contract #15-04, Supply & Delivery of Sand Fence & Posts and Posts & Rail Fence Materials (251COCCPS) on Tuesday, January 13, 2015 and two (2) bid proposals were received per the attached Summary of Bid Proposals; and

WHEREAS, the lowest apparent bid proposal was disqualified, FLW Wood Products, Inc. for failure to meet the bid specifications and the Buy American Goods & Products Clause per N.J.S.A. 40A:11-18 (P.L.1971, c.198, s.18, eff. July 1, 1971 amended by P.L.1982, c.107, s.1); and

WHEREAS, Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Joseph Berenato; Management Specialist; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the second lowest bid proposal and specifications and recommended that the contract be awarded to Lumberman Associates, Inc., the lowest responsible bidder; and

WHEREAS, the vendor is advised that this award does not guarantee that all of the items listed will be required during the contract period and are subject to the actual need as established by the City of Ocean City. As items are required, the City Purchasing Manager shall issue Purchase Orders for said items. No items shall be sent to the City without first obtaining a Purchase Order; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey, that City Contract #15-04, Supply & Delivery of Sand Fence & Posts and Posts & Rail Fence Materials (251COCCPS) be and is hereby awarded to the following lowest responsible bidder as follows:

Lumberman Associates, Inc. 2101 Hunter Road P. O. Box #720 Bristol, PA 19007

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u> 1/1/15-7/15/15
1.	Supply & Delivery of Sand Fence	0-360 Rolls	\$ 42.49
2.	Supply & Delivery of Seven (7') Foot Wooden Post for Sand Fence	0-900 Each	\$ 6.50
3.	Rails for Post & Rail Fence Supply & Delivery of Rails	0-150 Rails	\$ 7.30
4.	Wooden Post for Post & Rail Fence Supply & Delivery of Wooden Post	0-150 Each	\$ 9.90

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

BE IT FURTHER RESOLVED that the Mayor and the City Purchasing Manager are hereby authorized to enter into a contract with Lumberman Associates, Inc., 2101 Hunter Road, PO Box #720, Bristol, PA 19007 for City Contract #15-04, Supply & Delivery of Sand Fence & Posts and Posts & Rail Fence Materials (251COCCPS) as listed and in accordance with the bid specifications and the bid proposal form.

The Director of Financial Management certifies that funds are contingent upon the adoption of the 2015 Local Municipal Budget and will be charge to the appropriate 2015 accounts as purchase orders are issued.

CERTIFICATION OF FUNDS

Frank Donato III, CMFO
Director of Financial Management

Anthony P. Wilson
Council President

Files: RAW 15-04 Sand Fence & Posts & Postr & Rail.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2015.

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVitege	_____	_____	_____	_____
Gutrows	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

OCEAN CITY COOPERATIVE PRICING SYSTEM 2510000PS
PURCHASING DIVISION
SUMMARY OF BID PROPOSALS
BY THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NJ

DATE RECEIVED: Tuesday, January 13, 2015 @ 2:00 PM, EST
2510000PS CONTRACT #: 15-04
PROPOSAL NAME: Supply & Delivery of Sand Fence & Post & Wooden Posts & Rail Fence Materials

NAME, ADDRESS AND
BID OF EACH BIDDER

Lambertson Associates, Inc.
P. O. Box 710
Orindal, PA 19007

Thomas C. Coleahan, Vice President
PH: (715) 785-6400
FX: (715) 785-5645
Email: tblc@lambertsonusa.net

FLW Wood Products, Inc.
100 Princeton South Corporate Center
Suite 270
Ewing, NJ 08628

Carol Ann Berry, Vice President
PH: (609) 641-3888
FX: (609) 641-3885
Email: cberry@flw-wood.com

KEY
Recommendation to Award is per 40A:11-51 - American goods & products to be utilized when & where available.
Non-American Made Product

ITEM	DESCRIPTION	QTY	UNIT PRICE 1/15/15- 7/15/15	UNIT PRICE 1/15/15- 7/15/15	UNIT PRICE 1/15/15- 7/15/15	UNIT PRICE 1/15/15- 7/15/15	UNIT PRICE 1/15/15- 7/15/15	UNIT PRICE 1/15/15- 7/15/15
1 SAND FENCE								
	Supply & Delivery of Sand Fence							
	City of Ocean City	0- 160 Rails	\$ 42.49	\$ 34.45	\$ -	\$ -	\$ -	\$ -
	Borough of Avalon	0- 72 Rails	\$ 42.49	\$ 34.45	\$ -	\$ -	\$ -	\$ -
	City of Sea Isle City	0- 0 Rails	N/A	N/A	N/A	N/A	N/A	N/A
	Certificate of Origin		USA	CANADA				
2 WOODEN POST FOR SAND FENCE								
	Supply & Delivery of Seven (7) Foot Wooden Post							
	City of Ocean City	0- 900 Each	\$ 6.50	\$ 4.72	\$ -	\$ -	\$ -	\$ -
	Borough of Avalon	0- 3,100 Each	\$ 6.50	\$ 4.72	\$ -	\$ -	\$ -	\$ -
	City of Sea Isle City	0- 0 Each	N/A	N/A	N/A	N/A	N/A	N/A
	Certificate of Origin		USA	CANADA				
3 RAILS FOR POST & RAIL FENCE								
	Supply & Delivery of Rails							
	City of Ocean City	0- 150 Rails	\$ 7.30	\$ 7.15	\$ -	\$ -	\$ -	\$ -
	Borough of Avalon	0- 500 Rails	\$ 7.30	\$ 7.15	\$ -	\$ -	\$ -	\$ -
	City of Sea Isle City	0- 0 Rails	N/A	N/A	N/A	N/A	N/A	N/A
	Certificate of Origin		USA	USA				
4 WOODEN POST FOR POST & RAIL FENCE								
	Supply & Delivery of Wooden Post							
	City of Ocean City	0- 150 Each	\$ 9.00	\$ 12.05	\$ -	\$ -	\$ -	\$ -
	Borough of Avalon	0- 1,100 Each	\$ 9.00	\$ 12.05	\$ -	\$ -	\$ -	\$ -
	City of Sea Isle City	0- 0 Each	N/A	N/A	N/A	N/A	N/A	N/A
	Certificate of Origin		USA	USA				

Required Information

RIGHT TO EXTEND TIME FOR AWARD:	YES/NO	Y	YES/NO	Y	YES/NO	YES/NO	YES/NO
PUBLIC DISCLOSURE STATEMENT:	YES/NO	Y	YES/NO	Y	YES/NO	YES/NO	YES/NO
NON-COLLUSION AFFIDAVIT:	YES/NO	Y	YES/NO	Y	YES/NO	YES/NO	YES/NO
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE:	YES/NO	Y	YES/NO	Y	YES/NO	YES/NO	YES/NO
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDUM:	YES/NO	Y	YES/NO	Y	YES/NO	YES/NO	YES/NO
NJ AFFIRMATIVE ACTION COMPLIANCE NOTICE:	YES/NO	Y	YES/NO	Y	YES/NO	YES/NO	YES/NO
CERTIFICATE OF ORIGIN:	YES/NO	Y	YES/NO	Y	YES/NO	YES/NO	YES/NO
DISCLOSURE OF INVESTMENT ACTIVITIES IN DEAN STATEMENT-2 PART FORM:	YES/NO	Y	YES/NO	Y	YES/NO	YES/NO	YES/NO
NJ BUSINESS REGISTRATION CERTIFICATE (BRC) SUBMITTED:	YES/NO	Y	YES/NO	Y	YES/NO	YES/NO	YES/NO



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF COMMUNITY OPERATIONS

Code Enforcement • Construction • Engineering • Environmental Management • Facilities Management • Planning
Vehicle Maintenance • Zoning

Memo

To: Joseph Clark, Purchasing Agent
From: Michael Rossbach, Community Operations
CC: Jim Mallon, Roger McLarnon, Frank Donato, Mike Dattilo
Date: January 15, 2015
Re: Sand Fence

In reference to contract #15-04 "Supply and Delivery of Sand Fence & Posts & Wooden Post & Rail Fence Materials" please accept the bid from Lumbermen Associates Inc. as they are the lowest responsible bidder meeting the specifications in the contract. As you know sand fence is needed to protect and sustain our beach dune system. The post and rail does the same while at the same time adding an attractive appearance to our beach path walkways.

If you have any questions or need more information to support bidding this material, don't hesitate to contact me.

cc File

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#6

**AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT BETWEEN
THE CITY OF OCEAN CITY & TETRA TECH, INC.
AS A HAZARD MITIGATION & ENVIRONMENTAL CONSULTANT**

WHEREAS, the City of Ocean City requires professional services for the various mitigation and environmental issues to support projects, grants, permits and support on the FEMA related programs; and

WHEREAS, it is determined to be in the best interests of the City of Ocean City to have a Tetra Tech, Inc. act as a consultant on the City's hazard mitigation and environmental issues; and

WHEREAS, Tetra Tech, Inc. has been performing these duties and is determined to have the necessary expertise continue to perform said services; and

WHEREAS, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, a contract for Professional Services with Tetra Tech, Inc. may be entered into without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) & N.J.S.A. 19:44A-20.5; and

WHEREAS, Tetra Tech, Inc. has agreed to act as a consultant for Hazard Mitigation and Environmental projects for the City of Ocean City for the calendar year 2015; and

WHEREAS, Tetra Tech, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Tetra Tech, Inc. has not made any contribution to a political or candidate committee for an elected office in the City of Ocean City, NJ in the previous one (1) year period, and that the contract will prohibit Tetra Tech, Inc. from making any contributions through the term of the contract; and

WHEREAS, the City of Ocean City is desirous of entering into a Professional Services Contract with Tetra Tech, Inc., 1000 The American Road, Morris Plains, NJ 07950-9405 to act as the City's consultant for hazard mitigation and environmental projects; and

WHEREAS, the vendor has been advised that this award does not guarantee that all of the services listed will be required during the contract period and are subject to the actual need as established by the City of Ocean City. As services are required, the City Purchasing Manager shall issue Purchase Orders for those services. No services shall be performed for the City without first obtaining a Purchase Order for said services; and

WHEREAS, James V. Mallon, Business Administrator; Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Frank Donato, III, Director of Emergency Management Coordinator; Matthew von der Hayden, Manager of Capital Planning; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the terms and conditions of the contract and recommend award of a professional service contract to Tetra Tech, Inc. for hazard mitigation and environmental projects consultant services for the City of Ocean City, NJ; and

WHEREAS, this contract is awarded through an alternative non-advertised process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby awards a professional services contract to **Tetra Tech, Inc., 1000 The American Road, Morris Plains, NJ 07950-9405** for hazard mitigation and environmental projects consultant services for the City of Ocean City, NJ as follows:

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

1. Service fees shall be charged & paid as invoiced for the year 2015 as stated:

<u>Description</u>	<u>2015 Year Rates Per Hour</u>
Senior Project Manager	\$ 179.00
Project Manager	\$ 160.00
Principal Engineer/Scientist	\$ 137.00
Senior Engineer/Scientist	\$ 127.00
Staff Engineer/Scientist	\$ 85.00
Junior Engineer/Scientist	\$ 71.00
Senior GIS Analyst	\$ 127.00
GIS Analyst	\$ 80.00
Senior Drafter/CAD Operator	\$ 91.00
Word Processor/Technician I	\$ 57.00
Technician II	\$ 68.00
Contract Administrator	\$ 144.00
Administrative Assistant	\$ 85.00

2. The term of the contract shall be for a period of one (1) year, commencing on January 1, 2015 and continuing through December 31, 2015.
3. A copy of Business Entity Certification, Determination of Value and the Business Registration Certification (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office.
4. A copy of this Resolution and Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with Tetra Tech, Inc., 1000 The American Road, Morris Plains, NJ 07950-9405 for professional services as consultant for the FEMA related programs as listed in accordance with this resolution and submitted proposal.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2015 Local Municipal Budget and shall be charged to the appropriate account as the Purchase Orders are issued.

CERTIFICATION OF FUNDS

 Frank Donato, III, CMFO
 Director of Financial Management

 Anthony P. Wilson
 Council President

Files: RPS 2015 Tetra Tech, Inc.doc

Offered by _____ Seconded by _____

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the _____ day of _____ 20

NAME	AYE	NAY	ABSENT	ABSTAINED
Allington	_____	_____	_____	_____
DeVine	_____	_____	_____	_____
Grinson	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____

 City Clerk

Standard Rates

Tetra Tech EM Inc.

(Valid thru December 31, 2015)

SERVICE PERSONNEL

Tetra Tech shall be reimbursed at the listed rates charged to the work to cover the cost of wages and salaries, payroll burdens, overheads and G&A and profit.

Program Manager	\$221/Hr.
Senior Project Manager	\$179/Hr.
Project Manager	\$160/Hr.
Principal Engineer/Scientist	\$137/Hr.
Senior Engineer/Scientist	\$127/Hr.
Staff Engineer/Scientist	\$85/Hr.
Junior Engineer/Scientist	\$71/Hr.
Senior GIS Analyst	\$127/Hr.
GIS Analyst	\$80/Hr.
Senior Drafter/CAD Operator	\$91/Hr.
Word Processor/Technician I	\$57/Hr.
Technician II	\$68/Hr.
Contract Administrator	\$144/Hr.
Administrative Assistant	\$85/Hr.

Miscellaneous Home Office Expenses

All other direct costs (ODC) that are incurred during the process of the work (travel, telefax, long distance telephone, reproduction, miscellaneous supplies and materials) will be billed at cost or at Tetra Tech standard rates, which will include a general administrative (G&A) charge plus profit.

Travel and Living

Actual reasonable expenses that are incurred for meals, lodging, and rental car for Tetra Tech personnel in travel status away from the office in connection with the project are reimbursable at cost plus G&A. Air travel at economy class is reimbursable at cost and travel associated with the project by personal automobile is reimbursable per the latest IRS provisions.

Subcontracts, Equipment Rental and Materials

The service of subcontracts, outside rental of equipment and material will be charged at cost plus G&A and 10% profit.

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#7

**AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT BETWEEN
THE CITY OF OCEAN CITY & THOMAS G. SMITH, P.C. FOR SPECIAL LEGAL COUNSEL
FOR TAX APPEALS FOR THE CALENDAR YEAR 2015**

WHEREAS, the City of Ocean City requires professional legal services for the Department of Finance, Tax Assessment Division to handle tax court appeals for the calendar year 2015; and

WHEREAS, it is determined to be in the best interests of the City of Ocean City to have a Thomas G. Smith, P.C. continue as special legal counsel in these on-going tax appeals; and

WHEREAS, Thomas G. Smith, P.C. has been performing these duties and is determined to have the necessary expertise continue to perform said services; and

WHEREAS, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, a contract for Professional Services with Thomas G. Smith, P.C. may be entered into without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i) & N.J.S.A. 19:44A-20.5; and

WHEREAS, Thomas G. Smith, P.C. has agreed to serve as special legal counsel for the City of Ocean City's Department of Finance, Division of Tax Assessment for tax court appeals for the calendar year 2015; and

WHEREAS, Thomas G. Smith, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Thomas G. Smith, P.C. has not made any contribution to a political or candidate committee for an elected office in the City of Ocean City, NJ in the previous one (1) year period, and that the contract will prohibit Thomas G. Smith from making any contributions through the term of the contract; and

WHEREAS, the City of Ocean City is desirous of entering into a Professional Services Contract with Thomas G. Smith, P.C., 2106 New Road, Suite E-8, Linwood, NJ 08221 to serve as special legal counsel for the City Tax Assessor by handling the City of Ocean City's tax court appeals; and

WHEREAS, the vendor has been advised that this award does not guarantee that all of the services listed will be required during the contract period and are subject to the actual need as established by the City of Ocean City. As services are required, the City Purchasing Manager shall issue purchase orders for those services. No services shall be performed for the City without first obtaining a purchase order for said services; and

WHEREAS, Dorothy F. McCrosson, Esq., Director of Law; Frank Donato III, Director of Financial Management; Joseph A. Elliott, City Tax Assessor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the terms and conditions of the contract and recommend award of a professional service contract to Thomas G. Smith, P.C. for Special Legal Counsel Services for the City of Ocean City, NJ for the calendar year 2015; and

WHEREAS, this contract is awarded through an alternative non-advertised method of award process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby appoint **Thomas G. Smith, P.C., 2106 New Road, Suite E-8, Linwood, NJ 08221** as the City's Special Legal Counsel for tax appeals as follows:

<u>Item</u>	<u>Description</u>	<u>2015 Year Rates</u>
1.	Service fees shall be charged & paid as invoiced for the year 2015 as stated.....	\$ 130.00 per hour
	A. Tax Court Appeals	Estimated Amount.... \$ 35,000.00
2.	The term of the contract shall be for a period of one (1) year, commencing on January 1, 2015 and continuing through December 31, 2015.	
3.	A copy of Business Entity Certification, Determination of Value and the Business Registration Certification (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office.	
4.	A copy of this Resolution and Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.	

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with **Thomas G. Smith, P.C., 2106 New Road, Suite E-8, Linwood, NJ 08221** for professional services as the City's Special Legal Counsel as listed in accordance with this resolution and contract.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2015 Local Municipal Budget and shall be charged to the appropriate accounts as Purchase Orders are issued.

CERTIFICATION OF FUNDS

 Frank Donato, III, CMFO
 Director of Financial Management

 Anthony P. Wilson
 Council President

Files: RPS 2015 Thomas Smith.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 20

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____

 City Clerk

The Law Offices of
THOMAS G. SMITH

A Professional Corporation

2106 New Road, Suite E-8
Linwood, New Jersey 08221
(609) 653-4424

Facsimile (609) 653-1020
E-mail: thomas@thomasgsmithlaw.com

Certified by the Supreme Court of New Jersey
as a Civil Trial Attorney

Licensed in the States of New Jersey and South Dakota

January 12, 2015

Via Email—jclark@ocnj.us

Joseph Clark, Purchasing Agent
City of Ocean City
861 Asbury Avenue
Ocean City, New Jersey 08226

RE: Proposed Contract for Legal Services—Tax Attorney 2015

Dear Mr. Clark:

Please be advised that my firm's estimated maximum legal fees for 2015 would be \$35,000.00, relative to resolution of tax appeals. In addition, I also agree to maintain the same current hourly rate billed to the City of \$130.00 per hour.

Should you require additional information, please do not hesitate to contact me. Thank you.

Very truly yours,


THOMAS G. SMITH

TGS/ams

THE CITY OF OCEAN CITY
TAX ASSESSMENT OFFICE
861 Asbury Avenue
City Hall, Room 107
Ocean City, NJ 08226
609-525-9374(Phone)
609-391-0650(Fax)

RECEIVED
JAN 11 2015
PURCHASING OFFICE

To: Joseph Clark, QPA, Purchasing Agent
City of Ocean City, Council Members

From: Joseph Elliott, Tax Assessor 

Date: January 12, 2015

Subject: Thomas G. Smith-Proposed Contract for Legal Services-Tax Attorney 2015

Enclosed please find a copy of the above referenced document. This is Mr. Smith's response to my request to provide a cost estimate for his services for year 2015. Please note that his hourly rate of \$130 is unchanged from last year. I believe that Mr. Smith's estimated legal fees of \$35,000 relative to the resolution of tax appeals is accurate, unless we get into actual trials of one or more of the pending tax court cases.

I strongly recommend that the City of Ocean City retain Mr. Smith as Special Tax Counsel for year 2015. Mr. Smith has done an admirable job in representing the assessor's office in all tax court matters over the last several years, and has successfully negotiated appeal settlements or had cases successfully dismissed in year 2014. Mr. Smith also performed necessary research on the status of an exempt property in year 2014. There are still, approximately, eleven tax court cases pending for year 2012; approximately, two tax court cases pending for year 2013; and, approximately, five tax court cases pending for year 2014. Mr. Smith is performing ongoing discovery, is in settlement negotiations, or is preparing for trial in all of these pending cases. In my opinion, we cannot afford to change our attorney at this point, nor should we consider dismissing our competent legal counsel.

If you have any questions do not hesitate to contact me.

C. Frank Donato, Director of Financial Management
Dottie McCrosson, Director of Law

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#8

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF OCEAN CITY AND THE HUMANE SOCIETY OF OCEAN CITY, INC FOR CERTAIN LAND AND PREMISES OWNED BY THE CITY OF OCEAN CITY, NEW JERSEY

WHEREAS, the City of Ocean City, New Jersey is the owner of the lands and premises located at 1 Shelter Road known as the Ocean City Animal Shelter; and

WHEREAS, the Humane Society of Ocean City, Inc. is desirous of entering into a lease agreement with the City of Ocean City, New Jersey for use of the property located at 1 Shelter Road known as Ocean City Animal Shelter for the harboring, care and maintenance of stray, unwanted and/or abandoned dogs, cats and other animals including the performance of all functions necessary to effect the aforesaid; and

WHEREAS, all lease agreements hereto executed between the City of Ocean City, New Jersey and the Humane Society of Ocean City, Inc. including by description all lease agreements dated January 17, 1986; September 3, 1969; June 21, 1978; April 25, 1993; December 14, 1995; September 17, 1999; December 13, 2001, July 1, 2005, July 1, 2009 and June 26, 2014 are hereby rescinded by the execution of the herein lease agreement; and

WHEREAS, the Humane Society of Ocean City, Inc.'s Chief Executive Officer shall be responsible for the submission of an annual report setting out the use, activities, furtherance of public purpose, required insurance certificates and continued tax-exempt status of the non-profit corporation to the Director of Financial Management & the Purchasing Manager of the City of Ocean City, New Jersey; and

WHEREAS, the Humane Society of Ocean City, Inc.'s Chief Executive Officer shall be further responsible for the enforcement and execution of the terms and conditions of the lease agreement; and

WHEREAS, it has been determined to be in the best interest of the City of Ocean City to assist the Humane Society of Ocean City, Inc., in providing the lease of the land and premises know as the Ocean City Animal Shelter; and

WHEREAS, Michael A. Dattilo, Business Administrator; Frank Donato, CMFO, Director of Financial Management; Dorothy F. McCrosson, Esq., City Solicitor; and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the terms and conditions of the lease agreement and recommend that the lease agreement be executed between the Humane Society of Ocean City, Inc. and the City of Ocean City, NJ; and

WHEREAS, the term of this contract shall be for a period of five (5) years beginning on January 1, 2015 and terminating December 31, 2019.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are authorized to execute a lease agreement for the land and premises located at 1 Shelter Road known as the Ocean City Animal Shelter with the Humane Society of Ocean City, Inc., for a period of five (5) years (a copy of the lease agreement is attached as Exhibit A).

Anthony P. Wilson
Council President

Files: RES OCHS 2015-2019 .doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 20

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlioger	_____	_____	_____	_____
Guinosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Muskin	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk



CITY OF OCEAN CITY
AMERICA'S GREATEST FAMILY RESORT
LEASE AGREEMENT

**LEASE AGREEMENT FOR THE ANIMAL SHELTER, PROPERTY AND PREMISES
LOCATED AT 1 SHELTER ROAD, OCEAN CITY, NJ
January 1, 2015 through December 31, 2019**

The following lease agreement was made between the Humane Society of Ocean City, Inc. (the "Humane Society") and the City of Ocean City (the "City") as per Resolution No. 15-xx-xxx adopted providing that the "Humane Society" continues to comply with the requirements of the 2009-2014 amended lease agreement as incorporated into this extension agreement as follows:

THIS INDENTURE, made this between the City of Ocean City, a municipal corporation of the State of New Jersey, party of the first part (hereinafter referred to as "City") and the Humane Society of Ocean City, Inc., a non-profit corporation of the State of New Jersey, party of the second part, (hereinafter referred to as "Humane Society").

WITNESSETH

The City hereby leases to the Humane Society for a term commencing on January 1st, 2015 and terminating on December 31st, 2019, the following lands and premises situate in the City of Ocean City, County of Cape May, New Jersey, together with all improvements thereon, specifically, that facility known as the Ocean City Animal Shelter, located at 1 Shelter Road, Ocean City, NJ 08226 and subject to the following conditions and covenants:

1. All Lease Agreements heretofore executed between the City and Humane Society, including by description, but not limitation, Lease Agreements dated January 17, 1968; September 3, 1969; June 21, 1978; April 25, 1986; March 25, 1993; December 15, 1995; September 17, 1999; December 13, 2001; July 1, 2005 and July 1, 2009 are hereby rescinded by the execution of the herein Lease and declared null and void and of no further force and effect.
2. The Humane Society shall utilize the subject lands and premises described herein for the purpose of harboring, care and maintenance of stray, unwanted and/or abandoned dogs, cats, and other animals, including the performance of all functions necessary to effect the aforesaid general purposes, and for no other purposes whatsoever unless approved by the City.
3. The operation of the Ocean City Animal Shelter shall be the sole responsibility of the Humane Society of Ocean City, inc., which Humane Society shall be permitted to operate said shelter except as otherwise may be specifically provided herein. However, with respect to the intake of animals, while said intake shall be under the auspices and control of the Humane Society, specific priority in terms of intake shall be given to the animals emanating from within the jurisdiction of the City of Ocean City.
4. All animals shall be contained within the building known as the Ocean City Animal Shelter, with the exception that animals may be taken outside of the shelter to the designated walking/exercise areas to be walked and/or exercised during the normal operating hours of the shelter.

5. The Humane Society agrees that the following regulation of animals, as agreed to between the Humane Society and the City are reasonable and as such the Humane Society shall abide by said regulations:
 - a. Any dogs over sixty (60) pounds shall be placed in a dog run without any other animal, unless the owner of said dog specifically makes a request in writing of the Society, to commingle said dog with another dog sharing a previous living relationship with that dog.
 - b. Any dogs between thirty (30) pounds and sixty (60) pounds shall not be placed with more than two (2) dogs in any one (1) run at any given time.
 - c. Any dogs below thirty (30) pounds in weight shall not be placed with more than four (4) dogs in any one (1) run at any given time.
 - d. To the extent that more than one (1) dog is placed in a run at a given time, said dogs shall be segregated by sex, unless they have been neutered or spayed.
 - e. Puppies, defined herein as dogs less than one (1) year old, shall not be placed in the same run as an adult dog, unless it is the mother of said dog.
 - f. The number of puppies permitted in the Puppy Room shall be limited in quantity to a maximum of fifteen (15) puppies, until such time that they are weaned from their mother.
 - g. Cats shall not be commingled with dogs, other than under extreme emergency or exigent circumstances, as determined by the Humane Society, and only then on a short-term basis.
 - h. Other animals, including by description, but not limited to any ferrets, shall not be commingled in cages with cats or dogs.
 - i. The number of cats permitted to be kept in the Ocean City Animal Shelter at any given time, shall not exceed one-hundred and twenty-five (125) in number.
 - j. All animals shall be properly and adequately fed and watered, and kept in a clean and sanitary condition on a daily basis.
 - k. The Humane Society shall comply with all rules and regulations, to the extent applicable to the herein Ocean City Animal Shelter, promulgated by the State of New Jersey and codified in N.J.A.C. 8:23-3.1 et seq. In the event there is a conflict between the terms and conditions of this Agreement, the New Jersey Administrative Code or any other law of the State of New Jersey, the law or administrative requirements of the State of New Jersey shall govern.
6. The Humane Society shall engage a person with sufficient training and experience, such that said person is able to identify sick or diseased animals maintained within the Ocean City Animal Shelter. An examination of said animals shall be conducted by said person on a regular basis, which shall be defined herein as at least twice a week. Any and all animals determined by said person to be sick and/or diseased shall forthwith be placed in an isolation room (Quarantine Room) when the sickness and/or disease is believed to be contagious in nature.

7. Upon an initial determination by the aforementioned person that the animal has a reasonable probability of not being able to be returned to normal health, the Humane Society shall have said animal examined by a person licensed to practice veterinary medicine within the State of New Jersey. In the event that the veterinarian determines, that said animal has a reasonable prospect of being returned to normal health by a prescribed treatment or otherwise, the obligation of the Humane Society for further veterinary consultation shall cease. In the event that the veterinarian shall determine that the animal does not have a reasonable prospect of being returned to normal health (that is the sickness or disease cannot be cured and/or treated), then the option of the Humane Society shall be as follows:
 - a. To have said animal destroyed through an acceptable method of euthanasia; or
 - b. To have the animal examined by another licensed veterinarian, licensed to practice veterinary medicine in the State of New Jersey, for a second opinion. If the opinion of the veterinarian is that there is not a reasonable prospect of the animal being returned to normal health and/or of being cured, then the Humane Society shall have the animal destroyed of by an acceptable method of euthanasia. If the opinion of the second veterinarian is that there is a reasonable prospect of returning the animal to normal health, the Humane Society shall continue treatment of that animal for a reasonable period of time, as determined by both the Humane Society and the veterinarian.
8. The Humane Society shall be responsible for the disposal of any deceased animals. The Humane Society shall be responsible for maintaining the animals in accordance with New Jersey State Laws, following death and prior to the City's disposal.
9. The Humane Society shall maintain written reports in its files as to the diagnosis, treatment and prescriptions prescribed by any veterinarian of each animal, including any recommendation of a veterinarian as to euthanasia and/or disposition of an animal by euthanasia, if applicable.
10. The Ocean City Animal Shelter shall be opened to the public seven (7) days a week on a year-round basis, four (4) hours a day minimum, except upon legal holidays and days of inclement weather, when the facility shall remain open a minimum of two (2) hours per day to clean/feed and be available to the public for emergencies, not including the community veterinary hospital.
11. The Humane Society shall maintain Worker's Compensation and General Liability Insurance in the following amounts: \$1,000,000.00 Combined Single Limit Liability as well as a Worker's Compensation Insurance Policy which policy shall be in accordance with New Jersey State Law requirements. The City shall be named as an additional insured on the general liability Insurance policy. A photocopy of all said policies shall be furnished, annually to the City's Purchasing Division.
12. The Humane Society shall enjoy the sole and exclusive possession of the subject premises for the purpose of providing animal shelter services to the City and provide veterinary services for the community.
13. The parties agree that the Humane Society may make minor changes and alterations to the premises, which alterations shall be made in a good and workmanlike manner, so as to facilitate the use or the premises for the Humane Society's purposes, subject to the following conditions:
 - a. No change or alteration shall at any time be made, which shall impair the structural integrity and/or diminish the value of the demised premises.
 - b. No renovations shall be undertaken without the prior written approval of the City, in the event such approval is given, the renovation shall be undertaken at the exclusive cost and expense of the Humane Society.
 - c. The City shall be responsible for repair and maintenance to the building and grounds associated with normal wear and tear for an animal shelter. All day-to-day general maintenance and clean-up, including by description the cleaning up and removal of any and all debris and litter, shall be the responsibility of the Humane Society.
 - d. All containerized trash and refuse removal shall be the responsibility and obligation of the City.

- e. All appliances shall be maintained and repaired by the Humane Society and replaced at its discretion, which appliance shall include by description but not limited to: the stove, refrigerator, dishwasher, washer and dryer, garbage disposal and freezer. All utility systems, which shall include the air conditioning system, fire/burglar alarm system, water, sewer and heating systems shall be maintained and repaired by the City. In the event that such repairs are required, the Humane Society shall notify the City to make such necessary repairs as expeditiously as possible. In the event that such repairs are required for the heating, air conditioning or water systems, repairs shall be made shall be made as expeditiously as possible, so as to protect the health and welfare of the animals.
15. The City shall be responsible for the payment of all utility bills incurred by the Humane Society with respect to the Ocean City Animal Shelter, including by description but not limited to: electric, heating fuel, water, sewer, and a basic telephone system including caller I.D. The thermostatic controls shall be enclosed with a locked box, the key to which shall be limited to the custody and control of the Manager and/or Assistant Manager of the shelter. The box shall be kept locked at all times, except to set the controls, which shall be set at a reasonable and acceptable level. The Humane Society shall make every effort to keep utility expenses as low as is physically reasonable possible. Further, the Humane Society shall be responsible for any additional utilities/services, such as cable service, internet service and any additional telephone lines that are not provided by the City under the basic service.
 16. The Humane Society shall be required to provide the following:
 - a. Promote and help staff the annual rabies clinic that is coordinated by the City Clerk's Office on an annual basis.
 - b. Provide unlimited information to residents of the City relative to pet care.
 - c. Provide a low cost spay-neuter program within the City.
 - d. Provide education in the areas of rabies and proper immunizations of animals located within the City.
 - e. Provide education for the humane treatment of animals and wildlife.
 - f. Host various educational tours of the facility, as may be required throughout the year.
 - g. Provide the City's Office of Emergency Management (OEM) with an Emergency Operation Plan.
 - h. On an annual basis provide the City with a current copy of the organization's by-laws.
 - i. Provide animal control emergency services, as may be required.
 - j. Provide a yearly summary of all incoming and outgoing animals.
 - k. Provide an annual summary no later than January 31st of the preceding years activity on the State Department of Health's and Senior Services Departmental forms.
 - l. Provide a proposed budget by November 30th for the upcoming year denoting both anticipated revenues and expenditures to the City's Financial Management Department.
 - m. Provide photocopies of the required insurance certificates and coverage.
 - n. Provide a photocopy of the certificate of continued tax exemption by the State of New Jersey.
 - o. Provide annually a listing of the names, addresses and telephone numbers of the current Board of Directors of the Humane Society.

16. The Humane Society shall be required to provide the following: (Continued)

- p. All reports and required items shall be submitted to the City Purchasing Division for insertion into the contract files at the following mailing address:

City of Ocean City
Purchasing Division
City Hall, Room #203
861 Asbury Avenue
Ocean City, NJ 08226

17. The City shall provide:

- a. A funding level for The Ocean City Animal Shelter Operation and Animal Control Services which shall be contingent upon the approval of the local municipal budget for the calendar years; 2015, 2016, 2017, 2018 & 2019. The annual yearly payments are anticipated to be processed as follows:

(1) **2015 - \$57,220.00** – Contingent upon passage of the 2015 Municipal Budget

a. **Ocean City Shelter Operations: 2015 - \$31,620.00**

- i. \$15,810.00 - thirty (30) - days after the adoption of the City's budget
- ii. \$ 7,905.00 - on or about October 1, 2015
- iii. \$ 7,905.00 - on or about December 1, 2015

b. **Animal Control Services: 2015 - \$ 25,600.00**

- i. \$25,600.00 - thirty (30) - days after the adoption of the City's budget

(2) **2016 - \$58,365.00** - Contingent upon passage of the 2016 Municipal Budget

a. **Ocean City Shelter Operations: 2016 - \$32,253.00**

- i. \$16,126.50 - thirty (30) - days after the adoption of the City's budget
- ii. \$ 8,063.25 - on or about October 1, 2016
- iii. \$ 8,063.25 - on or about December 1, 2016

b. **Animal Control Services: 2016 - \$ 26,112.00**

- i. \$26,112.00 - thirty (30) - days after the adoption of the City's budget

(3) **2017 - \$59,532.00** - Contingent upon passage of the 2017 Municipal Budget

a. **Ocean City Shelter Operations: 2017 - \$32,898.00**

- i. \$16,449.50 - thirty (30) - days after the adoption of the City's budget
- ii. \$ 8,224.50 - on or about October 1, 2017
- iii. \$ 8,224.50 - on or about December 1, 2017

b. **Animal Control Services: 2017 - \$ 26,634.00**

- i. \$26,634.00 - thirty (30) - days after the adoption of the City's budget

(4) **2018 - \$60,721.00** - Contingent upon passage of the 2018 Municipal Budget

a. **Ocean City Shelter Operations: 2018 - \$33,555.00**

- i. \$16,777.50 - thirty (30) - days after the adoption of the City's budget
- ii. \$ 8,388.75 - on or about October 1, 2018
- iii. \$ 8,388.75 - on or about December 1, 2018

b. **Animal Control Services: 2018 - \$ 27,166.00**

- i. \$27,166.00 - thirty (30) - days after the adoption of the City's budget

17. The City shall provide:
 - a. A funding level for The Ocean City Animal Shelter Operation and Animal Control Services which shall be contingent upon the approval of the local municipal budget for the calendar years; 2015, 2016, 2017, 2018 & 2019. The annual yearly payments are anticipated to be processed as follows: (Continued)
 - (5) **2019 - \$61,936.00** - Contingent upon passage of the 2019 Municipal Budget
 - a. **Ocean City Shelter Operations: 2019 - \$34,226.00**
 - i. \$17,113.00 - thirty (30) - days after the adoption of the City's budget
 - ii. \$ 8,556.50 - on or about October 1, 2019
 - iii. \$ 8,556.50 - on or about December 1, 2019
 - b. **Animal Control Services: 2019 - \$ 27,710.00**
 - i. \$27,710.00 - thirty (30) - days after the adoption of the City's budget
18. Any of the following occurrences, conditions and/or acts shall constitute a default under this Lease:
 - a. If the Humane Society defaults in the observance and/or performance of any provisions of such Lease and if such default continues after the City has given written notice to the Humane Society specifying such default and demanding that the same be cured and same is not cured within thirty (30) days of receipt of notice (unless such default cannot reasonably be cured within said period of time in which event Humane Society shall have such longer period as may be reasonable necessary to cure the default).
 - b. If the Humane Society abandons the subject premises and/or ceases to use the premises for the general purposes described hereinabove.
19. In the event that the Humane Society fails to perform the conditions and covenants contained in the Lease and shall fail to cure any default as set forth hereinabove (or shall otherwise default in Paragraph 18 b. above), the City may terminate the Lease upon giving the Humane Society thirty (30) days written notice of such termination.
20. The Humane Society shall notify the City, in writing, to the City of Ocean City's Purchasing Manager at least six (6) months in advance of the expiration of the renewal period six (6) months prior to June 30th, 2019) of its desire to further renew the said Lease. The City shall be obligated, within ninety (90) days of receipt of said request to respond to the Humane Society in writing, advising as to whether it is the City's intention to renegotiate an extension of the Lease or that it is the City's intention to terminate the relationship with the Humane Society.
21. The City and Humane Society have entered into this Lease in good faith and in a spirit of cooperation with the understanding that it is the intent of both parties, that the Lease extension shall be exercised and that the purpose of the default provisions contained herein is not to afford the City technicalities upon which to deny the exercise of the renewal, but rather to insure that there are no significant violations that can amount to a material breach of the covenants and conditions of this Lease.
22. The covenants expressed herein are such that the Humane Society shall not have a right, without the City's written consent, to assign this Lease to any other party.
23. The City hereby warrants and represents that it has the full right, power and authority to enter into this Lease for the term herein granted, set forth herein and that the premises may be used by the Humane Society during the entire term of this Lease for the purposes herein set forth.
24. The Humane Society shall have the right to place professionally generated signs of reasonable size on the exterior of the building as it may deem appropriate, consistent with the zoning laws and codes of the City of Ocean City.
25. This Lease and the performance thereof, shall be governed, interpreted, construed and regulated by the substantive laws of the State of New Jersey.

26. If any term, covenant, condition or provision of this Lease or the application thereof to any person or circumstance shall, at any time or to any extent, be invalid or unenforceable the remainder of this Lease, or the application of such term or provision to persons or circumstances other than those as to which it held invalid or unenforceable, shall not be affected thereby, and each term, covenant, condition and provisions of this Lease shall be valid and be enforced to the fullest extent permitted by Law.
27. No oral matter concerning this Lease shall have any force or effect. Agreement shall not be modified or cancelled except by writing subscribed by all parties.
28. The Humane Society shall furnish to the City on an annual basis a list of its current Board of Directors and an annual operating report.
29. This Lease contains the entire contract between the parties. No representative, agent or employee of the City has been authorized to make any representations or promises with reference to the within letting or to vary, alter or modify the terms hereof. No additions, changes or modifications, renewals or extensions hereof, shall be binding unless reduced to writing and signed by both the City and the Humane Society.
30. The Humane Society will be responsible for the functions of animal control services for the period commencing January 1st, 2015 through the remainder of this agreement ending on December 31st, 2019. The Humane Society shall be required to employ New Jersey State Certified Animal Control Officers as may be required by N.J.S.A. 4:19-15.16b. The Humane Society shall agree to have at least one (1) Animal Control Officer certified by the New Jersey Department of Health as an Animal Cruelty Investigator. This individual shall be required to work in unison with the Ocean City Police Department in the investigation of all animal abuse, cruelty and neglect cases. All animal control services shall be conducted in accordance with N.J.S.A. 4, 8, 19 and 26 Revisions and local City Ordinances. The Humane Society shall be required to provide the following;

- a. The Humane Society will maintain a patrol presence within the jurisdiction of the City. This will be accomplished by a New Jersey State certified Animal Control Officer, seven (7) days a week, between the hours of 9:00 AM and 4:00 PM with the exception of all major holidays and severe inclement weather. During "non-business hours" the Humane Society shall be required to respond to "emergency calls" within one (1) hour. After hour calls shall jointly be authorized by both the Society's Executive Director and the Chief of Police and/or his designee. An afterhours charge of one-hundred (\$100.00) dollars per call may be assessed by the Humane Society. Said charges shall be authorized and approved by the Police Chief and/or his designee and a report outlining said charges shall be presented to the City on a monthly basis. Said payments shall be made on an annual basis during the 4th quarter of the year and/or as approved by the City's Director of Financial Management.

These calls shall include the following:

1. Aggressive animals
 2. Injured animals
 3. Suspected rabid animals/wildlife
 4. Animal bite cases
 5. Any other case deemed appropriate by a police supervisor and approved by shelter management
- b. Pick up and impound stray dogs/cats at large upon public streets and property. Every effort shall be made to contact owners of dogs/cats bearing registration/identification tags prior to transporting/impounding the animal at the shelter.
 - c. The Humane Society shall provide residential/commercial wildlife removal services, provided there is an immediate emergent health and/or safety hazard present. Otherwise these calls shall be referred to a private pests control contractor/company. Wildlife shall be removed from residential/commercial structures (occupied areas) and will be released outside the immediate vicinity, unless the animal displays symptoms of diseases, and/or has been injured. Further the Humane Society will advise residents of proper measures to discourage wildlife intrusion in the future.

- d. The Humane Society shall be responsible for the removal of dead animals during their normal operating hours. During "non-business hours" the Police Department shall be responsible for the proper disposal of dead animals unless the animal is of substantial size and additional assistance is deemed required by means of an Animal Control Officer.
 - e. The Humane Society shall maintain availability and easy access by designating a dedicated telephone number at their facility. This includes telephone numbers/cell phone numbers for emergency situations, which require their assistance. The contact numbers shall be provided to the City Police Department's liaison.
 - f. The City Police Department and the Humane Society shall designate a liaison within each respective organization. These designated liaisons shall be required to meet on a semi-annual basis and to share information in order to enhance the efficiency of the services provided by Humane Society and the Police Department.
 - g. The Humane Society shall be the source of information to City residents, visitors and officials concerning animal control regulations and related information. The Humane Society shall be required to maintain a professional public image and public relations will remain a top priority.
 - h. The Humane Society shall maintain general liability insurance coverage in compliance with the municipal Joint Insurance Fund (JIF) requirements. In addition, maintain commercial vehicle liability insurance on all non-City owned vehicles utilized for animal control services.
 - i. The Animal Control Officer may be required to appear on behalf of the City for all Municipal Court hearings/proceedings necessary to enforce animal control regulations. The City Police Department shall be responsible for the issuance of all summonses as deemed appropriate by the City Municipal Court.
 - j. The Humane Society shall provide all necessary vehicles, equipment and maintenance required to conduct City of Ocean City's animal control services in a professional manner. All equipment and vehicles are to be kept in compliance with New Jersey DOT standards and are to be inspected annually by the Cape May County Health Department. All vehicles shall be professionally lettered and readily identifying them as animal control vehicles.
 - k. All animal control officers shall be required to wear the appropriate uniforms and will carry identification on them at all times.
 - l. The Animal Control Officers shall be responsible for documenting their actions/reports on a daily basis.
 - m. The Humane Society shall be required to submit a year end annual report to the Chief of Police and the Purchasing Division, no later than January 31st of the subsequent year.
31. During the term of this lease, the Humane Society shall be permitted to obtain fuel (regular unleaded gasoline) from the City's fuel pumps and shall be responsible to reimburse the City for all fuels utilized on a bi-annual basis.

IN WITNESS WHEREOF, the parties herein have set their hands and seals the day and year first above written.

ATTEST:

THE CITY OF OCEAN CITY

HUMANE SOCIETY OF OCEAN CITY, INC.

Jay A. Gillian, Mayor

Bonnie Durphy, President

Joseph S. Clark, QPA, City Purchasing Manager

William Hollingsworth, Executive Director

Linda P. MacIntyre, RMC, City Clerk

Dated: January , 2015

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#9

**TO AUTHORIZE THE ADVERTISEMENT OF SPECIFICATIONS FOR CITY
CONTRACT #14-37, 2014 ROAD IMPROVEMENT PROGRAM – PHASE 2**

BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #14-37, 2014 Road Improvement Program – Phase 2.

Anthony P. Wilson
Council President

Note: Legal advertisement will be placed in the Ocean City Sentinel on Wednesday, January 28, 2015 with the bid opening scheduled on Thursday, February 12, 2015 and an anticipated date of award on Thursday, February 26, 2015.

Files: RAU 14-37.2014 Road Improvement Program – Phase 2.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 20

NAME	AYE	NAY	ABSENT	ABSTAINED
Alegretto	_____	_____	_____	_____
DeVivier	_____	_____	_____	_____
Guinoya	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk




CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF COMMUNITY OPERATIONS

Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

Memo

To: James Mallon
From: Arthur J. Chew, PE, PP, CFM, CME, CPWM 
CC: Joseph Clark, Roger McLarnon, PE, PP, CFM, CME, CPWM
Date: January 15, 2015
Re: Authorization to Bid 14-37 – 2014 Road Improvement Program – Phase 2

This project includes the milling and paving of certain roads in the gardens section of the city. Along with the pavement installation some driveways, curb, sidewalk, storm sewer pipe and inlets will be installed in order to improve drainage as necessary. In addition, traffic improvements will be installed in order to provide dedicated space for bicycles, reduce vehicle speeds and improve the flow of traffic. All traffic changes were reviewed with the residents of the area in question during a public meeting on November 25, 2014.

Also included in the project is the milling and paving 10th Street west of Bay Avenue and Palen Avenue. Sidewalk, curb and drainage will also be replaced in an effort to increase elevations on the streets and reduce the impacts of tidal flooding. This work has been coordinated with several homeowners who have taken the opportunity to elevate their homes, garages, and yards. Work will also facilitate the redevelopment of the Dan's Dock property. The road surface adjacent to the redevelopment property will only be base paved until utilities and other improvements are installed at the redevelopment property as well as the bulkhead replacement on 10th Street. Final paving of this area along with the bulkhead replacement will be included in a future project.

The roads and road sections included in this project are:

- 10th Street – from Bay Avenue to the bay front bulkhead
- Palen Avenue – from 10th Street to unnamed street next to 9th Street Bridge
- West Inlet Road – from Battersea Road to Crescent Road
- East Inlet Road – from Gardens Parkway to East Atlantic Boulevard
- West Atlantic Boulevard – from West Inlet Road to Gardens Parkway
- Bridge Boulevard – from West Atlantic Boulevard to Gardens Parkway
- Crescent Road – from West Inlet Road to Gardens Parkway
- Landing Road – from Crescent Road to the bay front bulkhead
- West Surf Road – from West Inlet Road to Wesley Road
- East Surf Road – from Wesley Road to East Atlantic Boulevard

AJC

\\OCESERVER\NetworkShare\Engineering\3-Roads and Drainage\3-2014-037 2014 Road Improvement Program Phase II - Gardens Paving\Letters\14-37 memo to authorize 15-01-15.doc

115 12th Street, OCEAN CITY, NJ 08226
PH: 609-399-6111 FAX: 609-525-0831

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CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

#10

RESOLUTION

AUTHORIZING THE APPLICATION BY THE CITY OF OCEAN CITY
TO SUSTAINABLE JERSEY™ 2014-2015 SMALL GRANTS PROGRAM FUNDED BY PSEG
FOR CAPACITY BUILDING GRANT

WHEREAS, the City of Ocean City strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community; and

WHEREAS, the City of Ocean City hereby acknowledges that the residents of the City of Ocean City desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the City of Ocean City, a sustainable community seeks to optimize the quality of life for it's residents by ensuring that it's environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, The City of Ocean City is participating in the Sustainable Jersey™ Program; and

WHEREAS, one of the purposes of the Sustainable Jersey™ Program is to provide resources to municipalities to make progression sustainability issues and they have created a grant program called the Sustainable Jersey™ 2014-2015 Small Grants Program funded by PSEG; and

WHEREAS, application is being made for a Sustainable Jersey™ 2014-2015 Small Grants Program funded by PSEG so that the City of Ocean City can continue to grow as a green and sustainable community by ensuring its environmental economic and social objectives; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Ocean City that the Mayor or his designee be and hereby authorized to execute a Sustainable Jersey™ 2014-2015 Small Grants Program funded by PSEG application; and

NOW THEREFORE BE IT FURTHER RESOLVED by the City Council of the City of Ocean City, County of Cape May that the Mayor or his designee be and hereby authorized upon notification of a Sustainable Jersey™ 2012 Small Grants Program funded by PSEG to execute said agreement on the behalf of the City of Ocean City and accept the terms and conditions as specified in the Sustainable Jersey™ 2014-2015 Small Grants Program funded by PSEG agreement.

Anthony P. Wilson
Council President

Files: RES 2014-2015 Sustainable Jersey grant funded by PSEG.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of, 20

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinness	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#11

AUTHORIZING THE PAYMENT OF CLAIMS

WHEREAS, N.J.S.A. 40A: 5-17 entitled "Approval and Payment of Claims and Required General Books of Account" generally sets forth the manner in which claims against municipalities are to be handled; and

WHEREAS, the attached bill list represent claims against the municipality for period including January 03, 2015 to January 16, 2015.

NOW, THEREFORE, BE IT RESOLVED that the attached bill list is approved for payment.

Frank Donato III
Chief Financial Officer

Anthony P. Wilson
Council President

FILES/AUTHORIZING THE PAYMENT OF CLAIMS - 01.03.15 TO 01.16.15.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of
said Council duly held on the day of 2015

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
14-02823	10/31/14	RALPH V.E. RALPH, INC.	medical supplies PPE	Open	610.75	0.00	
14-02846	11/07/14	DEPT DEPTCOR	STATIONERY SUPPLIES	Open	1,830.00	0.00	
14-02908	11/20/14	GYMSOUR GYM SOURCE		Open	1,790.00	0.00	
14-02914	11/20/14	SOUTHSTA SOUTH STATE, INC.	CC 14-24, RES. 14-50-249	Open	36,162.01	0.00	B
14-02920	11/20/14	WEILN KIM WEILAND		Open	850.00	0.00	
14-02956	11/26/14	SCHOP WILLIAM SCHOPPY TROPHY COMPANY		Open	109.50	0.00	
14-02967	12/04/14	FALCON FALCON FIRE AND SECURITY LLC		Open	4,886.00	0.00	
14-03075	12/10/14	FOVEONIC FOVEONICS IMAGING		Open	6,600.00	0.00	
14-03076	12/10/14	TETRATEC TETRA TECH, INC.	BCA for bulkhead grant	Open	8,328.00	0.00	
14-03082	12/10/14	DEFEOG GRACE DEFEO	E.M.S. REFUND REQUEST	Open	185.00	0.00	
14-03088	12/10/14	JLLAWSON J L LAWSON COMPANY INC	service qand maint to compress	Open	615.57	0.00	
14-03178	12/16/14	GYMSOUR GYM SOURCE		Open	9,998.00	0.00	
14-03264	12/22/14	NOBILONT NOBIL ON THE BAY		Open	610.00	0.00	
14-03265	12/22/14	NJSLOM NJ STATE LEAGUE OF		Open	110.00	0.00	
14-03267	12/22/14	ROOFMAX ROOFMAX EXTERIORS	PRE APPROVED BY F.D.	Open	600.00	0.00	
14-03276	12/22/14	NJDEP2 STATE OF NJ DEP LAND USE REG	PERMIT APPLICATION	Open	888.00	0.00	
14-03345	12/31/14	MCMNI MCMANIMON, SCOTLAND & BAUMANN,		Open	1,419.00	0.00	
15-00011	01/15/15	01POLYAK POLYAK, JAMES & FANI		Open	1,037.76	0.00	
15-00012	01/15/15	01WFB WELLS FARGO HOME MORTGAGE	BLOCK 410 LOT 9	Open	1,450.45	0.00	
15-00013	01/15/15	01COREL CORE LOGIC		Open	2,300.17	0.00	
15-00029	01/15/15	PUTTERMA BONNIE D. PUTTERMAN, ESQ.	RES# 14-50-279	Open	600.00	0.00	B
15-00031	01/15/15	SAM 1 SAM'S CLUB/GEMB	2015 SAMS CLUB CHARGES	Open	99.92	0.00	
15-00033	01/15/15	TCTA TCTA MEMBERSHIP SERVICES	2015 MEMBERSHIP	Open	300.00	0.00	
15-00037	01/15/15	LINESYST LINE SYSTEMS INC.	RESOLUTION	Open	10,224.50	0.00	B
Total Purchase Orders: 75 Total P.O. Line Items: 176 Total List Amount:				864,308.72	Total Void Amount:		0.00

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#12

**AUTHORIZING TRANSFERS OF APPROPRIATIONS RESERVE OF THE
2014 LOCAL MUNICIPAL BUDGET PER N.J.S.A. 40A: 4-59**

WHEREAS, N.J.S.A. 40A: 4-59, provides that all unexpended balances carried forward after the close of the year are available until lapsed at the close of commitment or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances to balances which are expected to be insufficient during the first three (3) month of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Ocean City that the attached transfers are made be made between the 2014 Budget Appropriation Reserves.

Anthony P. Wilson
Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2015

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinness	_____	_____	_____	_____
Hurtzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
City Clerk

CITY OF OCEAN CITY- DEPARTMENT OF FINANCE

**Appropriation Reserve Transfer Resolution
#1 for 2014**

Transfer from:			
4-01-20-626-226	City Wide Utilities: Water/Sewer	OE	25,000.00
			<u>\$ 25,000.00</u>

Transfer to:			
4-01-20-626-227	City Wide Utilities: Street Lights	OE	25,000.00
			<u>\$ 25,000.00</u>

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#13

APPROVING TAX OVERPAYMENT REFUND
2015-1 to 3

WHEREAS, the Tax Collector has certified and issued refund vouchers to the following tax payers who overpaid their taxes; and

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Ocean City that authorization for refund be approved as per the attached schedule.

DESCRIPTION

<u>VOUCHER</u>	<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>	<u>YEAR</u>
15-1	Polyak, James & Fani	3504	26	\$1,037.76	2014
15-2	Wells Fargo	410	9	1,450.45	2014
15-3	CoreLogic	300	1 C810	2,300.17	2014
Total				\$4,788.38	

 Anthony P. Wilson
 Council President

15Refund1

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2015

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Gumosso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
 City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DIVISION OF TAX COLLECTION

Memo

To: Frank Donato, Director of Financial Management
From: Debbie Tucker, Supervisor *Debbie Tucker*
Date: January 15, 2015
Re: Refund of Tax Overpayments

Attached, please find a Resolution authorizing refunds of tax overpayments to be placed on the agenda for the City Council meeting of January 22, 2015. The refunds are for over-payments due to the taxpayer for the reasons stated below. Typically the refunds are for duplicate payments made by the homeowner and a mortgage company or a title company. As you are aware we must apply bulk bank payments in their entirety per a directive from the Division of Local Government Services.

If you have any questions, please contact me.

DESCRIPTION

<u>VOUCHER</u>	<u>NAME</u>	<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>REASON</u>
15-1	Polyak, James & Fani	3504	26	OVERPAYMENT
15-2	Wells Fargo	410	9	OVERPAYMENT
15-3	CoreLogic	300	1 C810	OVERPAYMENT

N:\Tax Collection\MEGAN\Resolutions\REFUND-15 Refund\Memo1.docx

PO BOX 208, OCEAN CITY, NJ 08226
 609-525-9379 FAX: 609-399-5047

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CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

#14

**AUTHORIZING THE APPLICATION FOR AND THE EXECUTION OF A SUBCONTRACT
WITH THE COUNTY OF CAPE MAY FOR THE UPPER TOWNSHIP/
OCEAN CITY MUNICIPAL ALLIANCE PROGRAM**

WHEREAS, the State of New Jersey has established a Governor's Council on Alcoholism and Drug Abuse to coordinate the State's efforts in regard to the planning and provision of treatment, prevention, research, evaluation, and education services for, and public awareness of alcoholism and drug abuse; and

WHEREAS, an Alliance to prevent alcoholism and drug abuse has been created in the Governor's Council to set up a network comprised of all communities in New Jersey, which is dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse; and

WHEREAS, a Local Advisory Committee on Alcoholism and Drug Abuse (LACADA) has been established in Cape May County, along with a County Alliance Steering Subcommittee (CASS) to submit a plan for the expenditure of Drug Enforcement and Demand Reduction funds through distribution to eligible municipalities; and

WHEREAS, the Upper Township/Ocean City Municipal Alliance has appointed a Municipal Alliance Committee, which Committee will identify local needs, and recommend actions designed to deal with alcoholism and drug abuse; and

WHEREAS, the Upper Township/Ocean City Municipal Alliance has received and is administering "DEDR" grants under the subcontract with the County; and

NOW THEREFORE, BE IT RESOLVED, that the City of Ocean City does hereby authorize the City to file an application for such grant funds; to execute any contracts or agreements necessary to obtain the funds, contract/agreements; and

BE IT FURTHER RESOLVED, that the Upper Township/Ocean City Municipal Alliance Committee is hereby designated to continue to serve as the Committee required by Section C.26: 2BB-9 of the legislation; that the Upper Township/Ocean City Municipal Alliance is authorized to execute a new service agreement with said Committee; and, that said Agreement will evidence approval and acceptance of the Committee's Membership and By-laws; and

BE IT FURTHER RESOLVED, that the Mayor of the City of Ocean City, is authorized to sign the Application for July 2015 - June 2016 grant funds, and to execute all contracts and agreements necessary to accept the funds and carry out program in accordance with the State requirements; and

BE IT FURTHER RESOLVED, that the total amount of the Contract shall be \$48,786; that the total amount of the County Grant shall be \$24,393; that the amount of Local In-kind match shall be \$18,295; and that the amount of Local Cash match shall be \$6,098 (Approximately: Ocean City \$3,658.80/Upper Township \$2,439.20).

Jay A. Gillian,
Mayor

Anthony P. Wilson,
Council President

Files: July 2015 - June 2016 Municipal Alliance Program.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2015

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegritti	_____	_____	_____	_____
DeVlieg	_____	_____	_____	_____
Garcia	_____	_____	_____	_____
Hartell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#15

**AUTHORIZING CHANGE ORDER #2, FINAL ACCEPTANCE AND FINAL PAYMENT OF CITY
CONTRACT #13-48 R-1, OCEAN CITY LIFE SAVING STATION RECONSTRUCTION
OF OUTBUILDINGS AND EXTERIOR RENOVATIONS**

WHEREAS, the Request for Bidder Qualifications was advertised in the Ocean City Sentinel on Wednesday, January 23, 2013, the Request for Bidder Qualifications was posted on the City of Ocean City's website, www.ocnj.us and specifications were distributed to prospective bidder(s); and

WHEREAS, the Request for Bidder Qualifications were opened & evaluated on Thursday, February 14, 2013 and nine (9) bidders were qualified to receive City Contract #13-48, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration bid packages; and

WHEREAS, bid proposals were opened for City Contract #13-48, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration on Tuesday, March 26, 2013 and five (5) bid proposals were received; and

WHEREAS, Penelope S. Watson, AIA, Principle, Watson & Henry Associates; Georgia C. Arnold, Manager; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager reviewed the five (5) bid proposals and specifications and recommended that the bid proposals be rejected due to all bids being over the engineer's estimate and the budgeted amount in accordance to N.J.S.A. 40A:11-13.2 (a, b); and

WHEREAS, the City Council of the City of Ocean City, New Jersey, rejected and authorized advertisement for rebid of City Contract #13-48, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration by Resolution No. 13-49-201 adopted on April 11, 2013; and

WHEREAS, the bid proposal packages for City Contract #13-48 R-1, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration were distributed to the nine (9) Bidders who were Qualified to receive City Contract #13-48, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration bid packages; and

WHEREAS, bid proposals were opened for City Contract #13-48 R-1, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration on Tuesday, April 30, 2013 and three (3) bid proposals were received; and

WHEREAS, Georgia Arnold, Manager of Capital Projects and Joseph S. Clark, QPA, Purchasing Manager determined that the apparent low bidder, L. R. Costanzo Company, Inc. was disqualified for failure to submit the required forms; and

WHEREAS, Penelope S. Watson, AIA, Principle, Watson & Henry Associates; Georgia C. Arnold, Manager; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the remaining two (2) bid proposals and specifications and recommended that the contract be awarded to Aliano Brothers General Contractors, Inc., the lowest responsible bidder; and

WHEREAS, the City Council of Ocean City, New Jersey awarded City Contract #13-48 R-1, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration on May 16, 2014 by Resolution #13-49-225 to Aliano Brothers General Contractors, Inc., 2560 Industrial Way, Vineland, NJ 08360 in the amount of \$613,000.00; and

WHEREAS, Penelope S. Watson, AIA, Principle, Watson & Henry Associates; Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Arthur Chew, P.E. Assistant City Engineer; Marcia R. Chew, Senior Accountant; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk and Joseph S. Clark, QPA, City Purchasing Manger reviewed the proposed change order and the City Council of the City of Ocean City authorized Change Order #1 in the amount of \$32,067.53 by Resolution #14-50-006 adopted on January 9, 2014 resulting in an adjusted contract amount of \$645,067.53; and

WHEREAS, , Penelope S. Watson, AIA, Principle, Watson & Henry Associates; Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Arthur Chew, P.E. Assistant City Engineer; Marcia R. Chew, Senior Accountant; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk and Joseph S. Clark, QPA, City Purchasing Manger have reviewed and certified all the work has been completed in accordance with the job specifications, Maintenance Bond, Release of Liens, Application for Final Payment and Certified Payrolls in proper order and certified that Change Order #2 to City Contract #13-48 R-1, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration is correct as follows:

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

Change Order No. 2

Increases to Contract

Supplement

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Total Cost</u>
S1.	Strong Ties	1 LS	\$ 3,256.24	\$ 3,256.24
S2.	Additional 6x8	1 LS	\$ 8,271.12	\$ 8,271.12
S3.	2 nd Floor Wall	1 LS	\$ 1,396.79	\$ 1,396.79
S4.	Porch Floor Upgrade	1 LS	\$ 3,023.45	\$ <u>3,023.45</u>
Total Amount of Increases for Change Order #2				\$ 15,947.60

Total Amount of Change Order #2 Increases to City Contract #13-48 R-1, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration \$ 15,947.60

Total Amount of City Contract #13-48 R-1, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration including Change Order #2..... \$ 661,015.13

WHEREAS, the new adjusted contract cost including Change Orders #2 is \$661,015.13 which represents a net increase to the original contract of 7.83 (%) percent increase in the total for City Contract #13-48 R-1, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, NJ that it authorizes Change Orders #2, Final Acceptance and Final Payment of City Contract #13-48 R-1, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration; and

BE IT FURTHER RESOLVED that the Director of Financial Management certifies that funds are available and is authorized to process the final payment of PO #13-01326 for City Contract #13-48 R-1, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Restoration issued to **Aliano Brothers General Contractors, Inc., 2560 Industrial Way, Vineland, NJ 08360** in the amount of \$70,943.61 charged as follows: \$54,995.91 (PO Balance) & \$15,947.60 Change Order #2 (G-02-40-181-186).

CERTIFICATION OF FUNDS

 Frank Donato, III, CMFO
 Director of Financial Management

 Anthony P. Wilson
 Council President

Files: RESCO2FAFP 13-48 R-1, OCLSS Renovations.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 20

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....
 City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

ENGINEERING DIVISION

MEMORANDUM

To: Joseph Clark, Purchasing Manager
From: Roger McLarnon PE, City Engineer
CC: James Mallon, Business Administrator
Date: January 16, 2015
RE: **FINAL ACCEPTANCE, FINAL CHANGE ORDER, AND CLOSEOUT**
Lifesaving Station Reconstruction and Exterior Renovations
Project #: 13-48 R1

The above referenced contract is complete. The Contractor's Release of Liens, Payment of Debts and Claims and Consent of Surety to Final Payment, have been received as well as approval by Penelope Watson AIA, Architect and Project Manager. Final acceptance of the contract is requested for the January 22, 2015 Council Meeting.

According to our records, the sum of \$70,943.51 representing a final payment is due. The original contract to Aliano Brothers General Contractors Inc. was for \$613,000.00. This represents a net increase of \$48,015.13 to the overall contract for an adjusted total of \$661,015.13. Ten (10) interim payments were made.

The Final Change Order Two and Pay application eleven (11) illustrates all the increases and decreases in contract quantities, all the supplemental work items, and all the decreases in contract quantities.

Original Contract:	\$613,000.00
Change Order Number 1(1/9/14):	\$32,067.53
Additional work (see attached):	\$15,947.60
Total Adjusted Contract:	\$661,015.13
Less Previous Payments:	(\$590,071.62)
Total due including retainage:	\$70,943.51

If you have any questions, please feel free to contact me.

ENGINEERING DIVISION 115 12th Street, OCEAN CITY, NJ 08226
609-399-6111 FAX: 609-525-0831

Printed on Recycled Paper

Roger A. Rinck

From: Penelope S. Watson [pwatson@watsonhenry.com]
Sent: Thursday, May 29, 2014 11:00 AM
To: Roger A. Rinck
Subject: OCLSS Change Order #2

Roger,

The breakdown on the CO should read as follows:

Strong ties	\$3,256.24
Additional 6X8	\$8,271.12
2 nd fl wall	\$1,396.79
Porch fl upgrade	\$3,023.45
Total:	\$15,947.60

Sorry for the inconvenience!

Penelope S. Watson
Watson & Henry Associates
12 N. Pearl Street
Bridgeton, NJ 08302
856-451-1779