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Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

**RESOLUTION NO. 442-2016**

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR INSTALLATION OF FENCING AT VARIOUS TOWN FACILITIES, DPW PROJECT NO. 16-01R.**

**WHEREAS**, pursuant to resolution duly adopted by the Town Board, the Town Board authorized the Town Clerk to solicit bids for fencing at various Town facilities, DPW Project No. 16-01R (the "Project"); and

**WHEREAS**, bids in response to the solicitation (the "Bids") were received and were opened, which Bids are as follows; and

Bidder	Price
The Landtek Group, Inc. 235 County Line Road Amityville, NY 11701	Total Bid: \$1,157,448.50
Residential Fences Corp. 1775 Route 25 Ridge, NY 11961	Total Bid: \$931,970.00 (Listed in Bid) Total Bid: \$932,750.00 (Corrected)
Dobtol Construction 210 River Street Hackensack, New Jersey 07601	Total Bid: \$2,085,305.00 (Listed in Bid) Total Bid: \$2,095,605.00 (Corrected)

**WHEREAS**, this contract constitutes a requirements contract whereby the selected contractor(s) will be required to perform one or more individual projects using the unit bid prices proposed by each contractor; and

**WHEREAS**, the bid documents stated that a contract will be awarded to each qualified bidder that submits a bid proposal and that the Town will determine, for each individual fencing project, which contracts affords the Town the lowest cost; and

**WHEREAS**, after a review of the bids and upon further investigation, the Commissioner found that Dobtol Construction does not participate in apprenticeship training programs approved by the New York State Commissioner of Labor for the trades listed in the bid; and

**WHEREAS**, the Commissioner has recommended that the bid of Dobtol Construction be rejected as non-responsive as a result of its not participating in the above-described apprenticeship training programs; and

**WHEREAS**, after a review of the bids, the Commissioner has recommended that the contract for the Project be awarded to The Landtek Group, Inc., 235 County Line Road, Amityville, New York 11701 ("Landtek") at its bid price of One Million One Hundred Fifty-Seven Thousand Four Hundred Forty-Eight and 50/100 Dollars (\$1,157,448.50) and to Residential Fences, Corp., 1775 Route 25, Ridge, New York 11961 at its bid price of Nine Hundred Thirty-Two Thousand Seven Hundred Fifty and 00/100 Dollars (\$932,750.00) ("Residential") (collectively the "Contractors"); and

**WHEREAS**, the expenditures on the Project will be limited to the amounts budgeted for such work in the Town budget and any other appropriations in each year of the term of the contract, even if such amounts exceed the total amount bid by the contractors; and

**WHEREAS**, the Town Board desires to reject the bid of Dobtol Construction and authorize the award of a contract to Landtek and Residential individually as recommended by this Commissioner.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the bid of Dobtol Construction be and hereby is rejected as non-responsive as recommended by the Commissioner; and

**RESOLVED** that a Contract for the Project is hereby awarded to The Landtek Group, Inc., 235 County Line Road, Amityville, New York 11701, at its bid price of One Million One Hundred Fifty-Seven Thousand Four Hundred Forty-Eight and 50/100 Dollars (\$1,157,448.50), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the "Landtek Award"); and be it further

**RESOLVED** that a Contract for the Project is hereby awarded to Residential Fences, Corp., 1775 Route 25, Ridge, New York 11961, at its bid price of Nine Hundred Thirty-Two Thousand Seven Hundred Fifty and 00/100 Dollars (\$932,750.00), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the "RFC Award"); and be it further

**RESOLVED** that the Town shall, for each individual fencing project, choose the contractor that, when applying its bid prices, presents the lowest cost to the Town for that fencing project; and

**RESOLVED** that the Town be limited in its expenditures on the Project to the amounts budgeted for such work in the Town Budget and any other appropriations in each year of the term of the Project, even if such amounts exceed the total amount bid by the contractors; and be it further

**RESOLVED** that the Supervisor is hereby authorized to execute the contract documents, and to take such other action as may be necessary to effectuate the foregoing; and be it further

**RESOLVED** that the Office of the Town Attorney is hereby authorized and directed to supervise the execution of the contract documents to effectuate the Landtek Award and the RFC Award; and be it further

**RESOLVED** that the Comptroller is hereby authorized and directed to pay the cost thereof upon receipt of duly executed contract and certified claims therefor.

**Dated:** Manhasset, New York  
June 21, 2016

The vote on the foregoing resolution was recorded as follows:

**Ayes:** Councilwoman De Giorgio, Councilman Ferrara, Councilwoman Kaplan,  
Councilwoman Russell, Councilwoman Seeman, Councilman Zuckerman,  
Supervisor Bosworth

**Nays:** None

**cc:** Town Attorney      Comptroller      DPW