

**RESOLUTION NO. 2024-208**

**RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF  
NEW JERSEY, FINDING AND DECLARING AN EMERGENCY FOR PURPOSES OF  
N.J.S.A. 40A:11-6 AND N.J.A.C. 5:34-6.1**

**WHEREAS**, N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1 permit contracting of services without public advertising for bids and bidding therefore, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or performance of services; and

**WHEREAS**, an emergency has arisen which affects the health, safety, and welfare of the citizens of the Town of Phillipsburg, to wit, the emergency repair work performed at the Lopatcong Creek in March and April, precipitated by a major sewer main break at the bank of the Lopatcong Creek, adjacent to the Southgate Apartments in the vicinity of Arrow Head Court; and;

**WHEREAS**, in the opinion of the Town's professionals and Mayor, it was necessary to immediately provide for the necessary repairs to ensure that the contamination precipitated by the major sanitary sewer main break was contained and did not cause any more damage; and

**WHEREAS**, Montana Contracting and National water Main Cleaning Company were contracted to perform the necessary repair work, with both companies submitting invoices for the specified scope of work; and

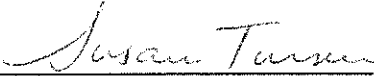
**WHEREAS**, Remington & Vernick Engineers, Inc. has reviewed these invoices and found them to be accurate and reasonable and recommended that the emergency contract in the amount of three hundred and fifty-seven thousand, thirty four dollars and twenty-one cents (\$351,034.21) be awarded to Montana Contracting and an emergency quote in the amount of nine thousand, six hundred and ninety-six dollars and forty-four cents (\$9,696.44) be awarded to National Water Main Cleaning Company; and

**WHEREAS**, sufficient funding is available as evidenced by the attached Certification of Funds.

**NOW THEREFORE IT BE RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Town Council declares an emergency to exist as detailed above for which emergency services are needed and authorizes the payments to Montana Contracting and National water Main Cleaning Company for a cost of three hundred and fifty-seven thousand, thirty four dollars and twenty-one cents (\$351,034.21) and nine thousand, six hundred and ninety-six dollars and forty-four cents (\$9,696.44), respectively.

**CERTIFICATION**

I, Susan Turner, Acting Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on November 13, 2024.



Susan Turner  
Acting Municipal Clerk