

RESOLUTION NO 2025-157

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE ASSIGNMENT OF CONTRACT FOR THE WASTEWATER TREATMENT PLANT GENERATOR REPLACEMENT AND BIO-MAG RELOCATION, ORIGINALLY AWARDED TO NORTH END ELECTRIC TO K&R OPERATING LLC BY VIRTUE OF A MERGER AND ACQUISITION OF NORTH END ELECTIC BY K&R OPERATING LLC AND DIRECTING THE MAYOR AND/OR THE TOWN CLERK TO EXECUTE THE NOTICE AND CONSENT RE: ASSIGNMENT, FURNISHED BY THE CONTRACTOR

WHEREAS, the Town of Phillipsburg, County of Warren, State of New Jersey solicited competitive quotations for the Wastewater Treatment Plan Generator Replacement & Bio-Mag Relocation project, to be received by the Town by November 13, 2024; and

WHEREAS, by virtue of such solicitation, one bidder – North End Electric – supplied a bid to the Town, in the amount of one million two hundred and one thousand dollars (\$1,201,000.00); and

WHEREAS, the Town, thereafter, awarded the contract for the above-captioned solicitation to North End Electric, as the sole responsive bidder, via Resolution No. 2024-233; and

WHEREAS, pursuant to Section 1.04 of the General Conditions of the bid specifications for the Wastewater Treatment Plan Generator Replacement & Bio-Mag Relocation project, issued by Remington & Vernick Engineers, “[t]he Contractor shall not assign, sell or transfer or otherwise dispose of the contract or any portion thereof or of the work provided therein or his right, title or interest therein, to any persons, firm or corporation, without prior written consent of the Owner;” and

WHEREAS, subsequent to the award of the above-mentioned project to North End Electric, the Town has received correspondence, indicating that K&R Operating LLC, a Texas limited liability company (hereinafter “K&R”) seeks to acquire all of North End Electric’s interest in and all of the assets, properties, rights and interested owned, claimed, used or held by NEE which relate to or are used or held for use in connection with its business; and

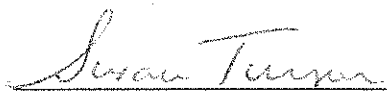
WHEREAS, the Town wishes to consent to the Asset Purchase discussed in the above-described correspondence received by the Town and otherwise authorize the execution thereof to ensure that the successor in interest performs the work sought by the Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey that the Town consents to the Asset Purchase entered into by and between North End Electric and K&R Operating, LLC.

BE IT FURTHER RESOLVED that the Mayor, Town Clerk, Administrator, and/or any other duly designated representative is hereby authorized to execute the letter, entitled “Notice and Consent re Assignment” received by the Town regarding the above-described Asset Purchase notification.

CERTIFICATION

I, Susan Turner, Acting Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their August 27, 2025 meeting.



Susan Turner
Acting Municipal Clerk

