

RESOLUTION NO. 2026-36

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, emergency repair work being performed on Filmore, Summit and Lewis Streets, precipitated by multiple sinkholes underneath and affecting said streets; and;

WHEREAS, in the opinion of the Town's professionals and Mayor, it is necessary to immediately provide for the necessary repairs to the impacted areas to ensure that the health, safety and welfare of the public is not compromised; and

WHEREAS, Montana Construction, Van Cleef Engineering, geotechnical experts and a GPR survey have been retained or are needed to be retained or are needed services to perform the necessary repair work; and

WHEREAS, Van Cleef Engineering has submitted correspondence dated February 19, 2026, opining that an emergency exists such that the normal procurement process pursuant to the Local Public Contracts Law can not be complied with as such compliance would result in unnecessary delay and continued harm to the public; and

WHEREAS, the anticipated work being authorized to the extent now known is as follows:

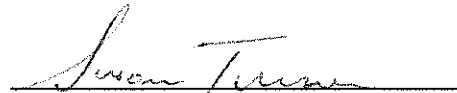
1. Montana Construction – \$800,000 as up to 2 crews a day for a period of 7 days working 2- 12 hour shifts. An additional, materials to fill and repair the hole and repair the roadway at additional cost of \$150,000.00 (estimated total for Montana \$950,000.00). In addition, due site conditions and repair methods the contractor will be needed to verify town utility conditions through video inspection of sewers during the project. This cost may change based on site conditions encountered.
2. Van Cleef Engineering – Professional Engineering, Construction Inspection and Administration - \$80,000.00;
3. Geotechnical Expert – An additional geotechnical firm will be needed to undertake an analysis of surrounding area due to the number of homes impacted and potential settlement concerns extending beyond the intersection. This would require additional testing and field investigation. An estimate of \$75,000.00 initial budget cost. The firm of GZA is working to prepare a formal proposal for such work, but have provided an initial view evaluation mobilize for the project upon authorization.
4. GPR survey – There is a need to retain a 3rd party professional expert to provide ground penetrating radar analysis to help identify potential locations of voids to establish potential unknown voids in the work and staging areas. \$4,800. The firm of GPRS has been providing such services; 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 retention of and payments to the above mentioned companies for services detailed hereinabove.

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 February 24, 2026 meeting.


Susan Turner, Acting Municipal Clerk

