

MILLBURN TOWNSHIP PUBLIC SCHOOLS
Millburn, New Jersey
* * A G E N D A * *

SPECIAL MEETING

Millburn Township Board of Education
Thursday, June 28, 2012
7:45 PM - Education Center

- A. CALL TO ORDER
- B. ROLL CALL OR SILENT COUNT OF BOARD MEMBERS
- C. ANNOUNCEMENT OF MEETING NOTICE

On June 21, 2012, a notice of this meeting was transmitted to the Board of Education and a copy of the notice was posted at the Education Center bulletin board. Copies were also transmitted to the Millburn-Short Hills Item, the Star-Ledger, the Millburn-Short Hills Independent Press, TV-36, the Township Clerk and members of the Township Committee, the Presidents of the PTO and Civic Associations, and the Public Library.

- D. PUBLIC COMMENTS (not to exceed 30 minutes) – Agenda Items Only
- E. BOARD ACTION ITEMS (**Roll Call Votes**)

- 1. Instruction Agenda Items

Approval of Professional Development Requests / Teacher Conferences as per policies 3440 and 4440 requiring prior approval of travel reimbursement expenses.

- 2. Personnel Agenda Items

Approval of Personnel Report dated June 28, 2012.

- 3. Business Agenda Items

- a. Resolution to approve a three year contract with Rosetta Stone for language-learning software for the period August 1, 2012 to July 31, 2015 in the total amount of \$140,775, payable in three annual installments in the amount of \$46,925.

E. 3. b. Resolution regarding Roof Replacement & Repairs at Millburn Middle School:

WHEREAS, a recommendation was made by the Superintendent of Schools to the **Millburn Board of Education (“Board”)** to seek a contract for construction services for the Roof Replacement & Repairs at Millburn Middle School (hereinafter “Project”); and

WHEREAS, the Project was properly advertised to prospective bidders in accordance with N.J.S.A. 18A:18A-4 and the bids were opened on June 6, 2012; and

WHEREAS, the bids that were received on June 6, 2012 were rejected for being over the Board’s budget for the Project; and

WHEREAS, on Tuesday June 26, 2012 the Board received the following bids from potential bidders in accordance with N.J.S.A. 18A:18A-1, et seq.;

Contractor	Base Bid	Alt. #1 Roof Area M.3.	Alt. #2 Roof Area M.4.	Alt. #3 Roof Area M.5.
Integrity Roofing	\$268,000	\$9,000	\$42,000	\$9,000
Strober-Wright Roofing, Inc.	\$261,812	\$12,000	\$50,000	\$13,000
E.R. Barrett, Inc.	\$273,600	\$13,800	\$47,900	\$13,800

WHEREAS, upon review of the bids submitted, together with the budget for the Project, and in consultation with the Design Professionals, the Property Committee determined that the bids received exceed the budget for the Project and intended to recommend the rejection of the bids to the Board of Education; and

WHEREAS, N.J.S.A. 18A:18A-5(c) permits the Board of Education to negotiate with the responsible bidders after the Project has been publicly advertised for bid on two (2) occasions and on both occasions the lowest bid received exceeds the budget for the Project; and

WHEREAS, N.J.S.A. 18A:18A-5(c)(a) requires that the Board of Education make a reasonable effort to determine that the same or equivalent goods or services, at a cost which is lower than the negotiated price, are not available from an agency or authority of the United States, the State of New Jersey or of the county in which the board of education is located, or any municipality in close proximity to the board of education; and

WHEREAS, the Property Committee authorized the solicitation of proposals utilizing Educational Data Services, Inc. (“Ed Data”), a cooperative municipal purchasing agency, for purposes of the Project; and

WHEREAS, the Millburn Board of Education intends to enter into a contract, with Ed Data for the Project utilizing the lowest responsible bidder, MK Lyons, LLC, pursuant to New Jersey Cooperative Bid Number 217-11, Ed Data bid number 26-EDCP, Bid #44-71, for purposes of completing the Project which shall be subject to all the conditions applicable to the Ed Data contracts; and

NOW, THEREFORE:

BE IT RESOLVED, that the Board hereby rejects the bids received on June 26th, 2012 as unresponsive for being over the Board’s budget for the Project, and

BE IT FURTHER RESOLVED, the Millburn Board of Education authorizes the Purchasing Agent to enter into a contract with Ed Data for purposes of completing the Project utilizing the lowest responsible bidder, MK Lyons, LLC, pursuant to New Jersey Cooperative Bid Number 217-11, Ed Data bid number 26-EDCP, Bid #44-71, at a total contract amount of \$258,764.00 which includes the base bid and all three alternates, for purposes of completing the Project which shall be subject to all the conditions applicable to the Ed Data contracts.

E. 3. c. Resolution regarding Bleacher Repair at Millburn High School:

WHEREAS, a recommendation was made by the Superintendent of Schools to the **Millburn Board of Education (“Board”)** to seek a contract for construction services for the Bleacher Repair at Millburn High School (hereinafter “Project”); and

WHEREAS, the Project was properly advertised to prospective bidders in accordance with N.J.S.A. 18A:18A-4 and the bids were opened on May 31, 2012; and

WHEREAS, the bids that were received on May 31, 2012 were rejected for being over the Board’s budget for the Project; and

WHEREAS, on Tuesday June 26, 2012 the Board received the following bids from potential bidders in accordance with N.J.S.A.18A:18A-1, et seq.;

Contractor	Base Bid	Alt. #1 New Seating	Alt. #2 Interior face	Alt. #3 Exterior façade	Alt. #4 Sound system
Shauger Property Services	\$293,136	\$45,905	\$5,973	\$4,690	\$20,111
Zenith Const. Services, Inc.	\$413,000	\$80,000	\$40,000	\$30,000	\$20,000

WHEREAS, upon review of the bids submitted, together with the budget for the Project, and in consultation with the Design Professionals, the Property Committee determined that the bids received exceed the budget for the Project and intended to recommend the rejection of the bids to the Board of Education; and

WHEREAS, N.J.S.A. 18A:18A-5(c) permits the Board of Education to negotiate with the responsible bidders after the Project has been publicly advertised for bid on two (2) occasions and on both occasions the lowest bid received exceeds the budget for the Project; and

WHEREAS, N.J.S.A. 18A:18A-5(c)(a) requires that the Board of Education make a reasonable effort to determine that the same or equivalent goods or services, at a cost which is lower than the negotiated price, are not available from an agency or authority of the United States, the State of New Jersey or of the county in which the board of education is located, or any municipality in close proximity to the board of education; and

WHEREAS, the Property Committee authorized negotiations with negotiations for responsible bidders in order to receive an acceptable price for the Project; and

WHEREAS, on June 27, 2012, representatives of the Board met with prospective bidders in an effort to negotiate the bid price of the within Project; and

WHEREAS, as a result of those negotiations the Board received a negotiated price of three hundred sixty-eight thousand, eight hundred fifteen (\$368,815) at the following bid amounts from Shauger Property Services for the base bid and Alternates 1-4;

Contractor	Base Bid	Alt. #1 New Seating	Alt. #2 Interior face	Alt. #3 Exterior façade	Alt. #4 Sound system
Shauger Property Services	\$292,536	\$45,805	\$5,873	\$4,590	\$20,011

WHEREAS, upon review of the bids submitted, together with the budget for the Project, and in consultation with the Design Professionals, the Board has determined that this negotiated price meets the budgetary constraints for the Project; and

WHEREAS, pursuant to N.J.S.A. 18A:18A-5(c) the Board has made a good faith effort to determine if the Project could be procured through a State Contract or other cooperative purchasing group and determined that no such contract could be procured, and

WHEREAS, Shauger Property Service’s has submitted the lowest price after conducting a fair and open negotiations pursuant to N.J.S.A. 18A:18A-5(c) and has been deemed to be the lowest responsible bidder pursuant to the Public School Contracts Law, N.J.S.A. 18A:18A-1 et seq.;

NOW, THEREFORE:

BE IT RESOLVED, that the Board hereby rejects the bids that were submitted on June 26, 2012 as being unresponsive due to budgetary constraints; and

BE IT FURTHER RESOLVED, that the Board hereby awards the Project to Shauger Property Services in the amount of three hundred sixty-eight thousand, eight hundred fifteen (\$368,815) for the Base Bid plus Alternates 1-4.

E. 3. d. Resolution regarding lease-purchase agreement with Apple Financial, Inc.

BE IT RESOLVED, upon the recommendation of the Superintendent, the Board hereby approves the lease - purchase agreement # 1010AF with Apple Financial, Inc. for a period of five years at a total amount of \$1,642,542 for the purpose of purchasing:

950 MacBook Pros
300 iMacs
120 iPads

with peripheral equipment and services.

F. EXECUTIVE SESSION

BE IT RESOLVED by the Millburn Board of Education that on Thursday, June 28, 2012, during the special public meeting on that date, this body shall meet at the Education Center, 434 Millburn Avenue, Millburn, New Jersey, for a discussion pursuant to Section 7b of the Open Public Meetings Act. A general description of the matters to be discussed is as follows:

The discussion on these topics will be disclosed to the public at the next public meeting of the Board or as soon thereafter as the circumstances and nature of the subject(s) permit(s)

G. ADJOURNMENT