

RESOLUTION NO. 219-2016

**A RESOLUTION OF THE TOWNSHIP COUNCIL
OF THE TOWNSHIP OF MOORESTOWN
DECLARING SAMBE CONSTRUCTION CO., INC.
IN DEFAULT OF CONTRACT FOR THE
CONSTRUCTION OF THE MOORESTOWN TOWN HALL AND LIBRARY
WITH THE TOWNSHIP OF MOORESTOWN**

WHEREAS, the Township of Moorestown procured the services of SAMBE Construction Co., Inc. to perform construction work associated with the Moorestown Town Hall and Library; and

WHEREAS, following the commencement of work under the Contract, and following substantial completion, the Township of Moorestown, through its construction consultant, Greyhawk, notified SAMBE Construction Co., Inc. that work under the Contract had not been performed in a timely manner, and/or had not been completed in a satisfactory manner; and

WHEREAS, Greyhawk and the Township's professionals have recommended to the Township that it declare SAMBE Construction Co., Inc. in default of its obligations to complete the work required by the subject contract, and further that the Township notify the Contractor's surety of the Contractor's default and to institute a claim upon the Contractor's performance and maintenance bond No. PRF9098628, which the Township Manager completed by letter to the contractor and its surety dated November 21, 2016; and

WHEREAS, the recommendations of the Township's consulting professionals are appropriate, and the Township Council wishes to memorialize the Township's position in this matter;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Moorestown as follows:

1. The Township Council of the Township of Moorestown hereby:
 - a. Declares SAMBE Construction Co., Inc. in default of its obligations to complete the work required by the subject contract, and
 - b. Authorizes the Township, through its representatives, to notify the Contractor's surety of the Contractor's default and to institute a claim upon the Contractor's above-referenced performance and maintenance bond in this matter.
2. A copy of this Resolution shall be filed in the Office of the Municipal Clerk.

<u>VOTE:</u>	
JORDAN	YES
DELGADO	YES
GARWOOD	YES
NAPOLITANO	YES
PETRIELLO	YES

Certified to be a true and correct copy of a resolution adopted by the Township Council of the Township of Moorestown at its meeting on November 28, 2016.

Patricia L. Hunt, Township Clerk