

**TOWNSHIP OF MOORESTOWN**

**RESOLUTION NO. 164-2014**

**DECLARING PARAMOUNT ENTERPRISES, INC. IN DEFAULT  
OF ITS OBLIGATIONS TO ENTER INTO CONTRACT NO. 2014-1;  
DIRECTING THE FILING OF A CLAIM ON THE CONTRACTOR'S BID BOND; AND  
AUTHORIZING THE READVERTISEMENT FOR BIDS FOR THE PROJECT**

**WHEREAS**, pursuant to Resolution No. 105-2014, on April 28, 2014, the Township Council of the Township of Moorestown awarded Contract No. 2014-1 (hereinafter "the Contract") for construction work associated with the reconstruction of Spruce Avenue and Magnolia Court, in the amount of \$319,835.00, to Paramount Enterprises, Inc. (hereinafter "Paramount"); and

**WHEREAS**, by letter dated May 1, 2014, the Township Engineer notified Paramount that the Township had awarded the Contract to Paramount, and the Engineer transmitted copies of contract documents to Paramount, requesting that Paramount execute and return those documents and other required forms to the Engineer's attention, and further notifying Paramount that a preconstruction meeting would be scheduled and Notice to Proceed with work on the project would be issued after the Township had received the executed contract documents from Paramount; and

**WHEREAS**, not having received a response from Paramount to his letter dated May 1, 2014, nor having received the executed contract documents, by letter dated June 19, 2014, the Township Engineer wrote to Paramount and reminded them that the requested documents were overdue, and requested that Paramount submit the required documents to the Engineer by June 27, 2014; and

**WHEREAS**, not having received a response from Paramount to his letter dated June 19, 2014, by letter dated July 8, 2014, the Township Engineer notified the Township Manager, with a copy to Paramount, that the contractor had failed to comply with the Engineer's request for the submission of executed contract documents and required forms, and recommended that the Township take action against Paramount's bid bond for the contract, and that the Township rebid the contract; and

**WHEREAS**, the Township Manager and the Township Council considered the Engineer's recommendation and, at a duly-noticed public meeting of the Township Council on July 21, 2014, accepted the Engineer's recommendation and directed that this Resolution be adopted, so that the work on this project can proceed without further delay;

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

1. The Township Council of the Township of Moorestown hereby:
  - a. Declares Paramount Enterprises, Inc., having been awarded Contract No. 2014-1, in default of its obligations to execute contract documents and forms that the Township requires in order to enter into the contract with Paramount and to issue a Notice to Proceed with work on the project; 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 bid bond in this matter; and
  - c. Authorizes the Township Clerk to readvertise for bids for the the reconstruction of Spruce Avenue and Magnolia Court.
2. A copy of this Resolution shall be filed in the Office of the Municipal Clerk.

VOTE:

JORDAN  
CHIACCHIO  
GARWOOD  
NEWCOMER  
NAPOLITANO

Certified to be a true and correct copy  
of a Resolution adopted by the  
Township Council at its meeting on  
August 4, 2014

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Patricia L. Hunt, Township Clerk