

October 13, 2009

TOWNSHIP OF MEDFORD

RESOLUTION 214-2009

**AUTHORIZING THE TOWNSHIP TO
RESCIND THE ADDENDUM TO
UTILITY REPAIR CONTRACT AND
ENTER INTO A RELEASE AGREEMENT
WITH MOUNT CONSTRUCTION**

WHEREAS, the Township of Medford and Mount Construction entered into an Addendum to a Utility Repair and Rehabilitation Contract dated February 27, 2007; and

WHEREAS, the Addendum permitted Mount Construction to use a portion of the Gravelly Hollow Road Public Works Facility for storage of equipment and materials which the parties agreed would shorten the time needed to mobilize for utility repairs in Medford, creating both a public safety and economic benefit to the Township; and

WHEREAS, in addition, Mount performed a series of substantial improvements as set forth in the Addendum to make the yard suitable for this purpose including the installation of a new entrance and fencing, the grading of the site, crushing and removing pre-existing mounds of concrete, crushed concrete and other debris; and

WHEREAS, in addition to work required under the Addendum identified above, Mount performed work at the site including installation of extensive landscaping, adding privacy slats to the fencing, installing a fire hydrant and water line, and making improvements to the site for the storage of materials that was not required under the Addendum; and

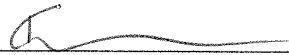
WHEREAS, the parties now believe it is appropriate to rescind and terminate the Addendum while leaving the underlying Contract intact; and

WHEREAS, the Township will receive the benefits of all the improvements set forth in the Addendum, without cost, which are valued in excess of \$650,000.00, and will make payments only for those specific improvements not set forth in the Addendum, valued at \$196,000.00 as verified by the Township Engineer; and

WHEREAS, the Township will also receive materials from Mount, which are currently on site and which will be used by the Township Public Works Department. These materials will be purchased pursuant to the Utility Repair and Rehabilitation Contract, at a cost also as verified by the Township Engineer.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Medford, that the Mayor and Clerk are hereby authorized to enter into an agreement to terminate the February 20, 2007 Addendum to the Utility Repair and Rehabilitation Contract with Mount Construction upon terms and conditions acceptable to the Township Council, Township Manager, and Township Solicitor.

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Council of the Township of Medford, at a meeting on the 13th day of October, 2009.


Katherine E. Burger, CFO / Township Clerk