

**The Somerset Hills School District
Special Meeting Minutes - July 11, 2018**

Call to Order and Welcome

Mrs. Leiss called the meeting to order at 10:54am.

Roll Call

Present:

Mr. Baker Mrs. Leiss
Ms. Burch Mrs. Santoro
Mrs. Hoppe Ms. Sooy

Not Present:

Mr. DiGioacchino
Mr. McDonald
Mrs. Tober
Ms. Virtue

Also Present:

Heather Goguen
Jennifer Shouffler

Pledge of Allegiance

Public Questions & Comments

None

Facilities & Operations

A. Action Items:

Mrs. Leiss moved item #1, Ms. Sooy seconded. Item #1 was approved by a vote of 6-0.

1. High School Walkway Project*

Bid Responses were due to the Bernardsville Olcott Building in the Olcott Conference Room located at 25 Olcott Avenue, Bernardsville, NJ on Tuesday, July 10, 2018 at 1:00 PM for the High School Walkway Project. Heather Goguen, Business Administrator, Daniel McDougal, Facilities Director, William Bannister, Architect, and William Ross, Architect were present. The following are the results:

Name of Company	Base Bid
Berto Construction, Inc.	\$438,600

WHEREAS, on June 19, 2018, the Somerset Hills Board of Education (“Board”) held a public bid opening for the award of a contract for the New Walkway at the Bernards High School (“Project”); and

WHEREAS, the Board received Three (3) bids which were opened at the public bid opening; and

WHEREAS, upon the Board’s consideration of the bids received at the bid opening, on June 20, 2018, the Board determined to reject all bids and re-bid the Project in accordance with N.J.S.A. 18A:18A-22 on the basis that all bids received substantially exceeded the cost estimate for the Project; and

WHEREAS, on July 10, 2018, the Board held a second public bid opening for the Project at which it received a total of One (1) bids; and

WHEREAS, upon the Board’s consideration of the bids received, the Board has determined to reject all bids in accordance with N.J.S.A. 18A:18A-22 on the basis that all bids received substantially exceed the cost estimate for the Project; and

WHEREAS, in accordance with N.J.S.A. 18A:18A-5(c), the Board may negotiate and award a contract without public advertising for bids if the Board has rejected bids on two (2) occasions because the Board has determined that they are not reasonable as to price.

Now therefore, BE IT RESOLVED, that, in accordance with N.J.S.A. 18A:18A-22, the Board hereby rejects all bids received at the public bid opening held on July 10, 2018 in connection with the Project as all substantially exceed the cost estimates for the Project; and

BE IT FURTHER RESOLVED, that the Board Administration in consultation with the Design Professionals are hereby authorized to solicit and negotiate a contract for the Project; and

BE IT FURTHER RESOLVED, that, in accordance with N.J.S.A. 18A:18A-5, the award of any negotiated contract shall be subject to the approval of the Board and the following:

- (a) a reasonable effort is first made by the Board, or its duly authorized representative, 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, the County of Somerset, or any municipality in close proximity to the Board;
- (b) the terms, conditions, restrictions and specifications set forth in the negotiated contract are not substantially different from those which were the subject of competitive bidding;
- (c) any minor amendment or modification of any of the terms, conditions, restrictions and specifications shall be stated in the Board's resolution awarding the contract;
- (d) the Board, or its duly authorized representative, shall notify, at a minimum, each responsible bidder who submitted bids on the second occasion of its intention to negotiate and afford each bidder a reasonable opportunity to negotiate; and
- (e) the Board shall not award a contract unless the negotiated price is lower than the lowest rejected bid price submitted on the second occasion by a responsible bidder, is the lowest negotiated price offered by any responsible vendor, and is a reasonable price for such goods or services; and

BE IT FURTHER RESOLVED, that the Board Administration is hereby authorized to return the bid bonds of all bidders who submitted bids at the public bid opening held on July 10, 2018 with a note of thanks for their participation.

Public Questions & Comments

None

Executive Session

Mrs. Hoppe moved the following at 10:57am:

WHEREAS the "Open Public Meetings Act:" (Chapter 231 Laws of 1975) authorizes a public body to exclude the public from that portion of a meeting at which specified topics are to be discussed under circumstances where the public consideration of such topics will clearly endanger the public, or where the personal privacy or

guaranteed rights of individuals whose activities or affairs are to be discussed would be clearly in danger of unwarranted invasions, and

WHEREAS the matters about to be presented for discussion clearly meet the "circumstances" test of such Act: RESOLVED that the Board of Education of Somerset Hills now adjourns its public session to reconvene in Executive Session for the purpose of discussing the following: Student Matters and Contracts.

And, be it further,

RESOLVED that the discussion in Executive Session be disclosed when the Board's consideration of the subject matter has been closed, or that such matter does not adversely affect the rights of prospective, current, or past public officers, or personnel of the Board, unless such individuals have in writing requested the disclosures of such discussion at a public meeting and provided such a public disclosure will no longer clearly endanger the public interest.

Ms. Burch seconded. The Board returned to public session at 11:07am

Facilities & Operations

Mr. Baker moved item #2, Ms. Sooy seconded. Item #2 was approved by a vote of 5-0-1.

2. HIB Report

Resolved, that the Somerset Hills Board of Education reviewed the Harassment, Intimidation, and Bullying case presented on **July 11, 2018** and upheld the findings and/or consequences recommended by the Superintendent.

Adjournment

Mrs. Leiss moved to adjourn at 11:09am; Mrs. Santoro seconded. The meeting was adjourned by a vote of 6-0.

Respectfully submitted,



Heather Goguen
Board Secretary

Resolutions:

***Note: The areas of permitted voting for the Bedminster district representative of the Board of Education are: (a) Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the pupils of the sending district; (b) New capital construction to be utilized by sending district pupils; (c) Appointment, transfer or removal of teaching staff members providing services to pupils of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff; (d) Addition or deletion of curricular and extracurricular programs involving pupils of the sending district; (e) Any matter directly involving the sending district pupils or programs and services utilized by those pupils; (f) Approval of the annual receiving district budget; (g) Any collectively negotiated agreement involving employees who provide services utilized by sending district pupils; (h) Any individual employee contracts not covered by a collectively negotiated agreement, if those employees provide or oversee programs or services utilized by sending district pupils; and (i) Any matter concerning governance of the receiving district board of education including, but not limited to, the selection of the board president or vice-president, approval of board bylaws, and the employment of**

professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district board of education.
(cf: P.L.1996, c.103, s.1)