

Resolution of the City of Newark, N.J.

NO. 7R12-CDate of Adoption JAN 08 2020

Title Page

Dept/ Agency: Water and Sewer Utilities**Action:** Ratifying Authorizing Amending**Type of Service:** Bid Contract**Purpose:** Phase-1(C) Sewer Cleaning and Rehabilitation - Contract 14-WS2017**Entity Name:** North American Pipeline Services, LLC**Entity Address:** 210 Bennett Road, Freehold, New Jersey 07728**Total Contract Amount:** \$5,675,970.00**Funding Source:** 2019 and 2020 Budgets/Department of Water and Sewer Utilities**Contract Period:** 320 days from the date of the Notice to Proceed**Contract Basis:** Bid State Vendor Prof. Ser. EUS Fair & Open No Reportable Contributions RFP RFQ Private Sale Grant Sub-recipient n/a**Additional Information:**

Bids Packages Distributed: Eleven (11)

Bids Received: three (3)

Approved as to Form and Legality on Basis of Facts Set Forth**Factual contents certified by**

Corporation Counsel

Title

Council Member _____ presents the following Resolution:

Resolution of the City of Newark, N.J.

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Approved as to Form and Legality on Basis of Facts Set Forth

M. Steele

Corporation Counsel

End. L. Steele

Factual contents certified by

Naemuldeen Aliyu Dahir

Title

Council Member Council of the whole presents the following Resolution:

WHEREAS, the City of Newark advertised Contract 14-WS2017 Phase-1(C) Sewer Cleaning and Rehabilitation, located at various locations in the City of Newark, on April 22, 2019; and

WHEREAS, the Department of Water and Sewer Utilities ("Department") distributed eleven (11) bid packages to prospective vendors following the date of bid advertisement; and

WHEREAS, on May 22, 2019, the Department received three (3) bids for said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, North American Pipeline Services, LLC, 210 Bennett Road, Freehold, New Jersey 07728 submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of \$5,652,320.00 for the base bid, and in the total amount of \$43,650.00 for the supplemental bid, with a combined base bid and supplemental bid total amount of \$5,695,970.00; and

WHEREAS, due to a limitation in mobilization costs under bid item 1 not to exceed \$150,000.00 as per NJDEP regulations, N.J.A.C. 7:14-2.9, and pursuant to Article 8.2 of the Instruction to Bidders, which allows for discrepancies in sums to be adjusted to the correct sum (here corrected as per NJDEP regulations) North American Pipeline Services LLC's base bid price was adjusted to \$5,632,320; and

WHEREAS, the City of Newark wishes to accept the lowest responsible bid submitted by North American Pipeline Services, LLC on May 22, 2019, and execute Contract 14-WS2017 Phase-1(C) Sewer Cleaning and Rehabilitation, with North American Pipeline Services LLC, 210 Bennett Road, Freehold, New Jersey 07728, for the total amount of \$5,632,320.00 for the base bid, and in the total amount of \$43,650.00 for the supplemental bid, with a combined base bid and supplemental bid total amount not to exceed \$5,675,970.00; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract of a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates, and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of

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Newark Municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds; and

WHEREAS, this contract is for an amount over \$17,500.00 and is being awarded as a Fair and Open contract pursuant to N.J.S.A. 19:44A-20.5.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Municipal Council hereby authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted by North American Pipeline Services LLC, on May 22, 2019, and execute Contract 14-WS2017 Phase-1(C) Sewer Cleaning and Rehabilitation, with North American Pipeline Services LLC, 210 Bennett Road, Freehold, New Jersey 07728, for the combined base bid and supplemental bid total amount not to exceed \$5,675,970.00.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$5,675,970.00, are available in the Water and Sewer Capital Budget under Business Unit NW044, Department ID 11G, Division/Project 11SA0, Account # 94710, and which shall be filed along with the original resolution in the Office of the City Clerk.
3. There shall be no amendment or change to the contract without approval by the Newark Municipal Council.
4. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
5. A fully executed copy of the contract shall be filed in the Office of the City Clerk, by the Department of Water and Sewer Utilities.
6. This contract was solicited and awarded pursuant to the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., and is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
7. If required by the State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller no later than 20 business days following such award, in accordance with N.J.S.A. 52:15C-10 and the Notice of the Office of the State Comptroller dated May 7, 2008.

JAN 08 2020

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted by North American Pipeline Services, LLC on May 22, 2019, and execute Contract 14-WS2017 Phase-1(C) Sewer Cleaning and Rehabilitation, located at various locations in the City of Newark, with North American Pipeline Services LLC, 210 Bennett Road, Freehold, New Jersey 07728, for the combined base bid and supplemental bid total amount not to exceed \$5,675,970.00.

CERTIFIED TO BY ME THIS
JAN 10 2020

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RECORD OF COUNCIL VOTE ON FINAL PASSAGE

Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB
Amador	✓				McCallum, Jr.	✓				Quintana, Vice Pres.	✓			
Gonzalez	✓				McIver	✓				Ramos, Jr.	✓			
James	✓				Osborne	✓				Crump, President	✓			

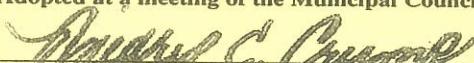
✓ Indicates Vote

AB - Absent

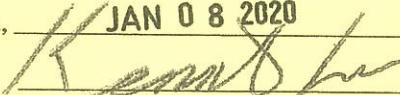
NV - Not Voting

Adopted at a meeting of the Municipal Council of the City of Newark, N.J.,

JAN 08 2020



President of the Council



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City Clerk

This Resolution when adopted must remain in the custody of the City Clerk. Certified copies are available.