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# Resolution of the City of Newark, N.J.

NO. 781-6

AUG 07 2019  
Date of Adoption \_\_\_\_\_

## Title Page

**Dept/ Agency:** Administration/Division of Central Purchasing

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Bid Contract(s)

**Purpose:** Maintenance and Repair: Sewer Netting

**Entity Name(s)/Address(s):** StormTrap, LLC, 1287 Windham Parkway, Romeoville, Illinois 60446

**Contract Amount:** \$180,000.00

**Funding Source:** 2019 Budget/ Department of Water and Sewer Utilities/ NW038-800-8003-83740-B2019

**Contract Period:** To be established for a term not to exceed two (2) years

**Contract Basis:** (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

To provide sewer netting maintenance and repair services to the Department of Water and Sewer Utilities

1st Advertisement Date: February 13, 2019

Bids Solicited: Four (4)

Bids Received: Zero (0)

2nd Advertisement Date: March 7, 2019

Bids Solicited: Eight (8)

Bids Received: Zero (0)

3rd Advertisement Date: March 27, 2019

Bids Solicited: Eight (8)

Bids Received: One (1)

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

Factual contents certified by

\_\_\_\_\_  
Corporation Counsel

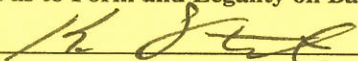
\_\_\_\_\_  
Title

Council Member \_\_\_\_\_ presents the following Resolution:

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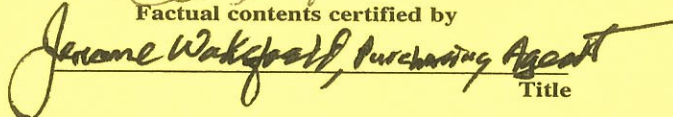
NO. 7R1-GDate of Adoption AUG 07 2019

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



Corporation Counsel

Factual contents certified by

  
Janene Wakefield, Purchasing Agent  
TitleCouncil Member Council of the whole presents the following Resolution:

**WHEREAS**, on February 13, 2019, the City of Newark, through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Maintenance and Repair: Sewer Netting for the Division of Water and Sewer Utilities, as described in the attached bid proposal; and

**WHEREAS**, the Division of Central Purchasing also distributed four (4) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS** the Division of Central Purchasing also published the bid package on the City of Newark's website to provide broader access and download capability to potential bidders; and

**WHEREAS**, on February 28, 2019, the Division of Central Purchasing received zero (0) bids in response to this advertisement; and

**WHEREAS**, on March 7, 2019, the City of Newark through its Purchasing Agent, QPA, re-advertised ("Second Advertisement") to solicit bids for contractors to provide Maintenance and Repair: Sewer Netting; and

**WHEREAS**, the Division of Central Purchasing also distributed eight (8) bid proposal packages to prospective vendors following the date of re-advertisement; and

**WHEREAS**, on March 21, 2019 the Division of Central Purchasing did not receive any bids in response to the Second Advertisement; and

**WHEREAS**, on March 27, 2019, the City of Newark, through its Purchasing Agent, QPA, re-advertised ("Third Advertisement") to solicit bids for contractors to provide Maintenance and Repair: Sewer Netting for the Department of Water and Sewer Utilities; and

**WHEREAS**, the Division of Central Purchasing also distributed eight (8) bid proposal packages to prospective vendors following the date of re-advertisement; and

**WHEREAS** the Division of Central Purchasing also published the bid package on the City of Newark's website to provide broader access and download capability to potential bidders; and

**WHEREAS**, on April 11, 2019, the Division of Central Purchasing received one (1) bid in response to the Third Advertisement; and

No. 7R1-GDate AUG 07 2019

**WHEREAS**, the Department of Water and Sewer Utilities, recommended a single award be made to StormTrap, LLC., 1287 Windham Parkway, Romeoville, Illinois 60446; the only responsive and responsible bidder; and

**WHEREAS**, the Purchasing Agent, QPA, concurs with the recommendation from the Department of Water and Sewer Utilities, Division of Sewers and Water Supply, that a single award be made to: StormTrap LLC., 1287 Windham Parkway, Romeoville, Illinois 60446, the only responsive and responsible bidder; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding their prices beyond sixty (60) days; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 et seq., solicitations through public bidding in accordance with N.J.S.A. 40A:11-1 et seq. meets the requirements of the fair and open process.

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

The Mayor and/or his designee, the Purchasing Agent, QPA, are authorized to enter into and execute a contract with StormTrap, LLC., 1287 Windham Parkway, Romeoville, Illinois 60446, to provide Maintenance and Repair: Sewer Netting for the City of Newark, Department of Water and Sewer Utilities, whose bid was received on the advertised due date and determined to be the only responsive and responsible bidder. The term of the contract will be established for a period not to exceed two (2) years, pursuant to N.J.S.A. 40A:11-15.

1. There shall be no amendment or change of this contract without the approval of the Municipal Council.
2. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2018 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d)(2).
3. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed from Account Code Line: NW038-800-8003-83740-B2019. This contract shall not exceed One Hundred and Eighty Thousand Dollars and Zero Cents (\$180,000.00) for a term not to exceed two (2) years.
4. The Purchasing Agent, QPA, shall forthwith file a duly executed copy of this contract in the Office of the City Clerk.
5. If required by State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller, no later than twenty (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.

AUG 07 2019

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Purchasing Agent, QPA, to enter into and execute a contract with StormTrap, LLC., 1287 Windham Parkway, Romeoville, Illinois 60446, to provide Maintenance and Repair: Sewer Netting to the City of Newark, Division of Water and Sewer Utilities, at a cost not to exceed One Hundred Eighty Thousand Dollars and Zero Cents (\$180,000.00) for a term not to exceed two (2) years.

CERTIFIED TO BY ME THIS  
AUG 09 2019

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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.,

AUG 07 2019

*Andrew C. Crump*  
President of the Council

*Kenneth*  
City Clerk

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