



Legislation Details (With Text)

**File #:** 20-1364      **Version:** 1      **Name:** Resolution: Bid Contract - Pequannock Sludge Lagoon Remediation - Contract 06-WS2020 - Spectraserv Inc.

**Type:** Resolution      **Status:** Adopted

**File created:** 10/21/2020      **In control:** Water Sewer Utility

**On agenda:** 11/18/2020      **Final action:** 11/18/2020

**Title:** Dept./ Agency: Water and Sewer Utilities  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Bid Contract  
 Purpose: Pequannock Sludge Lagoon Remediation - Contract 06-WS2020  
 Entity Name: Spectraserv, Inc.  
 Entity Address: 75 Jacobus Avenue, Kearny, New Jersey 07032  
 Total Contract Amount: Not to exceed \$2,518,000.00  
 Funding Source: 2020 Budget/Department of Water and Sewer Utilities/NW037-750-7505-71960-B2020  
 Contract Period: 730 calendar days from the date of the written Notice to Proceed  
 Contract Basis: (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
 (X) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
 ( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
 Additional Information:  
 Bid Packages Distributed: Six (6)  
 Bids Received: Two (2)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
11/18/2020	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on August 26, 2020, the City of Newark (the “City”), advertised Contract 06-WS2020 Pequannock Sludge Lagoon Remediation; and

**WHEREAS**, the Department of Water and Sewer Utilities (the “Department”), distributed six (6) bid packages to prospective vendors following the date of bid advertisement; and

**WHEREAS**, on September 11, 2020, the Department received two (2) bids for said project in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032 submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of \$2,518,000.00; and

**WHEREAS**, the City wishes to accept the lowest responsible bid submitted by Spectraserv Inc., on September 11, 2020, and execute Contract 06-WS2020 Pequannock Sludge Lagoon Remediation, with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, for a total contract amount not to exceed \$2,518,000.00; 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 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 Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted by Spectraserv, Inc., on September 11, 2020, and enter into and execute Contract 06-WS2020 Pequannock Sludge Lagoon Remediation, with Spectraserv Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, for a total contract amount not to exceed \$2,518,000.00 for a term of 730 calendar days from the date of the written Notice to Proceed.
2. Pursuant to N.J.A.C. 5:30-5.5(d)1(ii) (multi-year contracts), attached hereto is a partial Certification of Funds from the Chief Financial Officer, which states that funds, in the amount of \$100,000.00, are available in the 2020 Water and Sewer Budget under Business Unit NW037, Department ID 750, Division 7505, Account 71960, and said certification of funds shall be filed along with the original resolution in the Office of the City Clerk. The Director of the Department of Water and Sewer Utilities, is further authorized to extend the contract to the full value of \$2,518,000.00 when additional funds in the amount of \$2,418,000.00 are certified from the 2021 Budget of the Department of Water and Sewer Utilities, and a copy of the

Certification of Funds is filed in the Office of the City Clerk.

3. There shall be no amendment or change to the contract without approval by the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
3. The Department of Water and Sewer Utilities shall file a fully executed copy of the contract in the Office of the City Clerk.
3. 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 the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
3. 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.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted on September 11, 2020, and enter into and execute Contract 06-WS2020 Pequannock Sludge Lagoon Remediation, with Spectraserv, Inc., 75 Jacobus Avenue, Kearny, New Jersey 07032, for a total contract amount not to exceed \$2,518,000.00 for a term of 730 calendar days from the date of the written Notice to Proceed.