



Legislation Details (With Text)

**File #:** 16-1788      **Version:** 1      **Name:** Standby Generator at Wayne Pump Station (Re-bid)  
- Multi Phase Electrical Services  
**Type:** Resolution      **Status:** Adopted  
**File created:** 11/22/2016      **In control:** Water Sewer Utility  
**On agenda:** 2/1/2017      **Final action:** 2/1/2017

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract  
Purpose: Standby Generator at Wayne Pump Station - Contract 06-WS2015 (Re-bid)  
Entity Name: Multi-Phase Electrical Services, Inc.  
Entity Address: 15 William Street, Closter, New Jersey 07624  
Total Contract Amount: \$1,859,000.00  
Funding Source: Department of Water and Sewer Utilities Capital Budget  
Contract Period: 270 days from date specified in 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: N/A  
Bids received: Three (3)  
All bids rejected  
Re-advertised  
Bid Packages Distributed: Six (6)  
Bids Received: Three (3)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
2/1/2017	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on July 5, 2016 the City of Newark advertised Contract 06-WS2015 Standby Generator at Wayne Pump Station owned by the City of Newark; and

**WHEREAS**, on August 3, 2016, the Department of Water and Sewer Utilities (“Department”) received three (3) bids for the said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, On October 14, 2016 the Department rejected all bids as non-responsive for failure to meet the City’s Minority Business Enterprise (MBE) and Woman Business Enterprise (WBE) Utilization requirements; and

**WHEREAS**, on October 17, 2016 the City of Newark advertised Contract 06-WS2015 (Re-bid) Standby Generator at Wayne Pump Station; and

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

**WHEREAS**, on November 15, 2016, 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**, Multi-Phase Electrical Services, Inc., 15 William Street, Closter, New Jersey 07624 submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of \$1,859,000.00; and

**WHEREAS**, the City of Newark wishes to accept the lowest responsible bid submitted by Multi-Phase Electrical Services, Inc, on November 15, 2016, and execute Contract 06-WS2015 (Re-bid) Standby Generator at Wayne Pump Station, with Multi-Phase Electrical Services, Inc., 15 William Street, Closter, New Jersey 07624, for the total amount not to exceed \$1,859,000.00; 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

Multi-Phase Electrical Services, Inc, on November 15, 2016, and execute Contract 06-WS2015 (Re-bid) Standby Generator at Wayne Pump Station with Multi-Phase Electrical Services, Inc., 15 William Street, Closter, New Jersey 07624, for the total amount not to exceed \$1,859,000.00.

2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$1,859,000.00, are available in the Water and Sewer Capital Budget under Business Unit NW041, Department ID 16W, Project 16W00, 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.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
3. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Director of the Department of Water and Sewer Utilities.
3. This contract was solicited and awarded pursuant to the fair and open procedures in accordance with the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and pursuant to the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i), and is in compliance with the City's 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 by Multi-Phase Electrical Services, Inc, on November 15, 2016, and execute Contract 06-WS2015 (Re-bid) Standby Generator at Wayne Pump Station, with Multi-Phase Electrical Services, Inc., 15 William Street, Closter, New Jersey 07624, for the total amount not to exceed \$1,859,000.00.