



Legislation Details (With Text)

**File #:** 13-0326      **Version:** 1      **Name:** BLOCKS, CONCRETE  
**Type:** Resolution      **Status:** Filed  
**File created:** 2/22/2013      **In control:** Administration  
**On agenda:** 4/3/2013      **Final action:** 4/3/2013  
**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Blocks, Concrete  
Entity Name(s)/Address(s): Clayton Block Co., Inc., Post Office Box 3015, Lakewood, New Jersey 08701 (1355 Campus Parkway, Wall, New Jersey 07753)  
Contract Amount: Not to Exceed \$80,000.00  
Funding Source: City of Newark Budget/Departments of Engineering and Water & Sewer Utilities Budget  
Contract Period: To be established for a period 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:  
Bids solicited: Seven (7)  
Bids received: One (1)  
Bids rejected One (1)  
Bids re-solicited: Four (4)  
Bids received: Zero (0)  
Bids re-solicited: Seven (7)  
Bids received: One (1)

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
4/3/2013	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on June 19, 2012, the City of Newark through its Purchasing Director, advertised to solicit bids for contractor(s) to provide **Blocks, Concrete**, to the Departments of Engineering and Water & Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed seven (7) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on July 12, 2012, one (1) bid was received in response to this advertisement; and

**WHEREAS**, the bid was rejected pursuant to N.J.S.A 40A:11-13.2 due to the cost exceeding the City's appropriation for concrete blocks; and

**WHEREAS**, on August 7, 2012, the City of Newark through its Purchasing Director re-advertised to solicit bids for contractor(s) to provide **Blocks, Concrete**; and

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

**WHEREAS**, on August 23, 2012, no bid was received in response to this re-advertisement; and

**WHEREAS**, on February 5, 2013, the City of Newark through its Purchasing Director re-advertised to solicit bids for contractor(s) to provide **Blocks, Concrete**; and

**WHEREAS**, the Division of Central Purchasing distributed seven (7) bid proposal packages to prospective vendors following the date of re-advertisement; and

**WHEREAS**, on February 21, 2013, one (1) bid was received in response to this re-advertisement; and

**WHEREAS**, the Purchasing Director recommend an award be made to **Clayton Block Co., Inc.**, the only responsible bidder; and

**WHEREAS**, pursuant to N.J.S.A.40A:11-24, the selected responsible bidder consented to hold prices until such time as an award is made; 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:**

1. The Mayor and/or his designee, the Purchasing Director, are hereby authorized to enter into a

contract with **Clayton Block Co., Inc., Post Office Box 3015, Lakewood, New Jersey 08701 (1355 Campus Parkway, Wall, New Jersey 07753)**, to provide **Blocks, Concrete**, to the City, whose bid was received on the advertised due date and determined to be the only responsive and responsible bidder, in accordance with the bid specifications. The term of the contract will be established for a two (2) year term, pursuant to N.J.S.A.40A:11-3.

2. There shall be no amendment or change of this contract without the approval of the Municipal Council by resolution.

3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2013 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d) (2).

4. This is an open-ended contract to be used as needed during the term of 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, covering the amount of the order. This contract shall not exceed \$80,000.00 for the contract period of two (2) years.

5. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Purchasing Director.

6. 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.

#### STATEMENT

This contract is awarded to **Clayton Block Co., Inc.**, to provide **Blocks, Concrete**, to the City of Newark, at a cost not to exceed \$80,000.00 for two (2) years.