



Legislation Details (With Text)

**File #:** 17-1319      **Version:** 1      **Name:** Preventative Maintenance and Repairs of Chlorine System  
**Type:** Resolution      **Status:** Adopted  
**File created:** 7/5/2017      **In control:** Water Sewer Utility  
**On agenda:** 9/7/2017      **Final action:** 9/7/2017

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract  
Purpose: Perform Preventative Maintenance and Repairs of the Chlorine System at the City of Newark's Pequannock Water Treatment Plant  
Entity Name: Ray Palmer Associates, Inc.  
Entity Address: 985 King Street, Dover, New Jersey 07801  
Contract Amount: Amount not to exceed \$100,000.00  
Funding Source: 2017, 2018 and 2019 Budgets/Department of Water and Sewer Utilities  
Contract Period: Two (2) years from issuance of a 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:  
Bids Solicited: Two (2)  
Bids Received: One (1)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
9/7/2017	1	Municipal Council	Adopt	Pass

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**WHEREAS,** on March 10, 2017, the City of Newark advertised for bids for Contract to Perform

Preventive Maintenance and Repairs of the Chlorine System at the City of Newark's Pequannock Water Treatment Plant; and

**WHEREAS**, the Department of Water and Sewer Utilities distributed two (2) bid packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on March 31, 2017, the Department of Water and Sewer Utilities received one (1) bid for the said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Ray Palmer Associates, Inc., 95 King Street, Dover, New Jersey 07801, submitted the lowest, responsive and responsible bid in the rate of \$125 per hour for year one, and \$130 per hour for year two for preventive maintenance and repairs, according to the bid specifications; and

**WHEREAS**, the City of Newark wishes to accept the bid submitted by Ray Palmer Associates, Inc., and execute a Contract to Perform Preventive Maintenance and Repair of the Chlorine System at the City of Newark's Pequannock Water Treatment Plant, with Ray Palmer Associates, Inc., 95 King Street, Dover, New Jersey 07801, for an amount not to exceed \$100,000.00; 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; 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 to 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.

**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, responsive and responsible bid submitted on March 31, 2017, by Ray Palmer Associates, Inc., 95 King Street, Dover, New Jersey 07801, and execute a contract to Perform Preventive Maintenance and Repair of Chlorine System at the City of Newark's Pequannock Water Treatment Plant with Ray Palmer Associates, Inc., for an amount not to exceed \$100,000.00 for a period of two (2) years (with a rate of \$125 per hour for year one, and \$130 per hour for year two) for preventive maintenance and repairs, according to the bid specifications and commencing upon the issuance of a Notice to Proceed by the Department of Water and Sewer Utilities.
2. Pursuant to N.J.A.C. 5:30-5.5, Temporary Budget, attached hereto is a partial Certification of Funds from the Director of Finance which states that funds in the amount of \$10,000.00 are available in the 2017 Budget to Perform Preventive Maintenance and Repair of Chlorine System at the City of Newark's Pequannock Water Treatment Plant under Business Unit: NW037, Department ID: 750, Division/Project: 7502, Account#71770 Budget Ref B2017. The certification shall be filed along with the original resolution in the Office of the City Clerk. The

remainder of the funding for the contract will be subject to appropriation in the 2018 and 2019 Budget and included in a line item for the award of this contract and said funds will be certified prior to services being provided by the contractor. There will be no expenditure of funds authorized until a Certification of Funds is obtained and a copy filed with the City Clerk.

3. Notwithstanding anything to the contrary herein, the contract shall be subject to the availability and annual appropriation of sufficient funds as may be required to meet the City of Newark's obligations herein, and shall be subject to immediate termination in the absence thereof with no further obligation of the City of Newark. The contract shall contain a clause indicating the foregoing.
4. There shall be no amendment or change to the contract without approval by the Newark Municipal Council.
5. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
6. The Director of the Department of Water and Sewer Utilities shall file a fully executed copy of the contract in the Office of the City Clerk.
7. This contract was solicited and awarded through a fair and open procedures of 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.
8. 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, responsive and responsible bid submitted on March 31, 2017 by Ray Palmer Associates, Inc., 95 King Street, Dover, New Jersey 07801 and execute Contract to Perform Preventive Maintenance and Repair of the Chlorine System at the City of Newark's Pequannock Water Treatment Plant with Ray Palmer Associates, Inc., for an amount not to exceed \$100,000.00, for a period of two (2) years, commencing upon the issuance of a Notice to Proceed by the Department of Water and Sewer Utilities.