



Legislation Details (With Text)

File #: 12-1095 **Version:** 1 **Name:** Contract 02-WS2012 Rockborn Trucking & Excavation Excavations, Inc.

Type: Resolution **Status:** Filed

File created: 5/7/2012 **In control:** Water Sewer Utility

On agenda: 6/20/2012 **Final action:** 6/20/2012

Title: Dept/ Agency: Water & Sewer Utilities
 Action: () Ratifying (X) Authorizing () Amending
 Type of Service: Bid Contract
 Purpose: Permanent Pavement Restoration over Water/Sewer Utility Excavations
 Entity Name: Rockborn Trucking & Excavations, Inc.
 Entity Address: 12 Taylor Road, Wharton, New Jersey 07885
 Contract Amount: \$372,750.00
 Funding Source: City of Newark Budget/Water & Sewer Utilities
 Partial Certification of funds provided for \$100,000.00 / Remainder \$272,750.00 to be appropriated in the 2012 and 2013 Municipal Budget
 Contract Period: 365 calendar days from notice to proceed
 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 Received: Six (6)

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
6/20/2012	1	Municipal Council	Adopt	Pass

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WHEREAS, the City of Newark advertised Contract 02-WS2012 Permanent Pavement Restoration

over Water/Sewer Utility Excavations on March 20, 2012 and the contract included the replacement of up to 4,500 square yards of permanent pavement, and on April 10, 2012, six (6) bids were received for said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Rockborn Trucking & Excavation, Inc., 12 Taylor Road, Wharton, New Jersey 07885 submitted the lowest responsive and responsible bid according to the specifications and in the amount of \$372,750.00; and

WHEREAS, the City of Newark wishes to accept the lowest responsible bid submitted by Rockborn Trucking & Excavation, Inc., on April 10, 2012, and execute Contract 02-WS2012, with Rockborn Trucking & Excavation, Inc., 12 Taylor Road, Wharton, New Jersey 07885, for the presently available and certified amount of \$100,000.00, and extend the contract to its full value of \$372,750.00 when balance of funds become available; and

WHEREAS, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "Pay to Play Executive Order"), which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract; and

WHEREAS, this contract is for an amount over \$17,500 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 of the City of Newark and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to accept the lowest responsive and responsible bid submitted on April 10, 2012 by Rockborn Trucking & Excavation, Inc., 12 Taylor Road, Wharton, New Jersey 07885 and execute Contract 02-WS2012 Permanent Pavement Restoration over Water/Sewer Utility Excavations with Rockborn Trucking & Excavation, Inc., 12 Taylor Road, Wharton, New Jersey 07885 for the presently available and certified amount of \$100,000.00, and further authorized to extend the contract to its full value of \$372,750.00 when balance of funds become available.
2. Pursuant to N.J.A.C. 5:30-5.5, attached hereto is a partial Comptroller's certification which states the funds in the amount of \$100,000.00 are available in the 2012 Temporary Budget under Business Unit: NW037, Department ID: 750, Division: 7505, Account: 71960. The certification shall be filed along with the original resolution in the Office of the City Clerk. The remainder of the funding for this contract will be subject to appropriation in the 2012 and 2013 Budget and funds will be certified prior to services being provided by the contractor.
3. There shall be no amendment or change to the contract without approval by the Newark Municipal Council.
4. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
5. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Department of Water and Sewer Utilities.

6. This contract is being awarded pursuant to the fair and open procedures of the 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 Executive Order MEO-07-0001, effective March 31, 2007.
7. 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 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.

TIME OF COMPLETION

This contract is to be completed within 365 calendar days after issuance of a notice to proceed.

STATEMENT

This resolution authorizes the Mayor of the City of Newark and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to accept the lowest responsive and responsible bid submitted on April 10, 2012 by Rockborn Trucking & Excavation, Inc., 12 Taylor Road, Wharton, New Jersey 07885 and execute Contract 02-WS2012 Permanent Pavement Restoration over Water/Sewer Utility Excavations with Rockborn Trucking & Excavation, Inc., in the presently available and certified amount of \$100,000.00, and further authorizes to extend this contract to its full value of \$372,750.00 when balance of funds become available.