



Legislation Details (With Text)

File #: 23-2031 **Version:** 1 **Name:** Newark Riverfront Park: Phase C
Type: Resolution **Status:** Adopted
File created: 12/27/2023 **In control:** Administration
On agenda: 2/21/2024 **Final action:** 2/21/2024
Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract(s)
Purpose: To provide construction services for the Newark Riverfront Park Phase C Project.
Entity Name(s): Flanagan’s Contracting Group, Inc.
Entity Address(s): 90 Old Camplain Road, Hillsborough, New Jersey 08844
Contract Amount: Not to exceed \$5,886,148.00
Funding Source: 2016 Budget/Department of Economic and Housing Development/NW045-16G-94710-B2016
Contract Period: To commence upon Municipal Council approval through the date of completion of the Project
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:
This Bid Contract provides construction services for the Newark Riverfront Park Phase C Project under the Department of Economic and Housing Development.
Advertisement Date: November 30, 2023
Bids Solicited: Sixty-eight (68)
Bids Received: One (1)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
2/21/2024	1	Municipal Council		

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WHEREAS, on November 30, 2023, the City of Newark (“City”), through the Qualified Purchasing Agent of record on the aforementioned date, advertised to solicit bids for contractors to provide construction services for the Newark Riverfront Park Phase C Project for the Department of Economic and Housing Development, as described in the attached bid proposal; and

WHEREAS, the Division of Central Purchasing published the bid package on the City’s electronic procurement portal to provide broader access and download capability to potential bidders; and

WHEREAS, on December 12, 2023, the Division of Central Purchasing received one (1) bid in response to this advertisement; and

WHEREAS, the Deputy Mayor/Director of the Department of Economic and Housing Development recommended that a single award be made to Flanagan’s Contracting Group, Inc., 90 Old Camplain Road, Hillsborough, New Jersey 08844, based on being the only responsive and responsible bidder; and

WHEREAS, the Qualified Purchasing Agent of record at the time of the recommendation, concurred with the recommendation from the Department of Economic and Housing Development that a single award be made to Flanagan’s Contracting Group, Inc., 90 Old Camplain Road, Hillsborough, New Jersey 08844; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to hold the bid for consideration until an award is made, as the law permits; 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. meet 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 of the City of Newark and/or his designee, the Business Administrator, are hereby authorized to enter into and execute a contract with Flanagan’s Contracting Group, Inc., 90 Old Camplain Road, Hillsborough, New Jersey 08844, to provide construction services for the Newark Riverfront Park Phase C Project for the City of Newark’s Department of Economic and Housing Development, 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, pursuant to N.J.S.A. 40A:11-15, to commence upon Municipal Council approval through the date of completion of the Project, at an amount not to exceed Five Million Eight Hundred Eighty-Six Thousand One Hundred Forty Eight Dollars and Zero Cents (\$5,886,148.00).
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 2020 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 the 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 from Account Code Line: Department of Economic and Housing Development NW045-16G-94710-B2016. This contract shall not exceed \$5,886,148.00 for a period to be established pursuant to N.J.S.A. 40A:11-15 commencing on the date the Resolution is adopted by the Municipal Council.
5. The Qualified Purchasing Agent shall file a copy of this resolution and the duly executed copy of the contract in the Office of the City Clerk.
6. 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 of the City of Newark and/or his designee, the Business Administrator, to enter into and execute a contract with Flanagan's Contracting Group, Inc., 90 Old Camplain Road, Hillsborough, New Jersey 08844, to provide construction services for the Newark Riverfront Park Phase C Project as requested by the Department of Economic and Housing Development at an amount not to exceed \$5,886,148.00, for a term to be established, pursuant to N.J.S.A. 40A:11-15, commencing upon Municipal Council approval through the date of completion of the Project.