



Legislation Details (With Text)

**File #:** 23-0568      **Version:** 1      **Name:** Concrete Ready Mix, Sand and Gravel  
**Type:** Resolution      **Status:** Adopted  
**File created:** 4/11/2023      **In control:** Administration  
**On agenda:** 6/7/2023      **Final action:** 6/7/2023

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: To provide Concrete Ready Mix, Sand and Gravel.  
Entity Name(s)/Address(s): Continental Hardware, Inc., 400 Delancey Street, Newark, New Jersey 07105  
Contract Amount: Not to exceed \$344,000.00  
Funding Source: 2023 Budget/Departments of Engineering, Division of Traffic and Signals/NW011-110-1107-83720-B2023/Department of Public Works, Division of Sanitation/NW011-060-0605-83720-B2023/Department of Water and Sewer Utilities/NW037-750-7502-83720-B2023  
Contract Period: To be established for a period not to exceed twenty-four (24) consecutive months commencing upon fully executed contract  
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 contract will provide Concrete Ready Mix, Sand and Gravel to the Departments of Engineering, Public Works, and Water and Sewer Utilities.

Advertisement Date: March 15, 2023  
Bids Downloaded: Four (4)  
Bids Received: One (1)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
6/7/2023	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on March 15, 2023, the City of Newark through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Concrete Ready Mix, Sand and Gravel for the Departments of Engineering/Division of Traffic and Signals, Department of Public Works/Division of Sanitation and the Department of Water and Sewer Utilities, as described in the attached bid proposal; and

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

**WHEREAS**, on April 6, 2023, the Division of Central Purchasing received one (1) bid in response to this advertisement; and

**WHEREAS**, the Director of the Department of Public Works, Division of Sanitation recommended that a single award be made to Continental Hardware, Inc., 400 Delancey Street, Newark, New Jersey 07105; and

**WHEREAS**, the Purchasing Agent, QPA, concurs with the recommendation that a single award be made to Continental Hardware, Inc., 400 Delancey Street, Newark, New Jersey 07105, the only responsive and responsible bidder; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding their bid beyond sixty (60) days; 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 designees, the Business Administrator and/or the Purchasing Agent, QPA, are hereby authorized to enter into and execute a contract with: Continental Hardware Inc., 400 Delancey Street, Newark, New Jersey 07105 to receive line items# 1, 2, 3, 7, 8, 9, 10, 12, 13, 14, 15, 16, 20, 22, 23, 24, 25 and 27 for year one (1) and year two (2), to provide Concrete Ready Mix, Sand and Gravel for the City of Newark, whose bid was received on the advertised due date and determined to be the only responsive and responsible bidder. The term of the contract will be established for twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15, with the start date to commence upon a fully executed contract. No bids were received for line items# 4, 5, 6, 11, 17, 18, 19, 21 and 26 for year one (1) and year two (2).
2. There shall be no amendment or change of this contract without the approval of the Municipal

Council.

3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2023 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: NW011-110-1107-83720-B2023/Department of Engineering/Division of Traffic and Signals, NW011-060-0605-83720-B2023/Department of Public Works/Division of Sanitation, NW037-750-7502-83720-B2023-Department of Water and Sewer Utilities, covering the amount or the order. This contract shall not exceed Three Hundred Forty-Four Thousand Dollars and Zero Cents (\$344,000.00) for twenty-four (24) consecutive months for one (1) vendor.
5. The Purchasing Agent, QPA, shall file a 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 and/or his designees, the Business Administrator and/or the Purchasing Agent, QPA, to enter into and execute a contract with Continental Hardware, Inc., 400 Delancey Street, Newark, New Jersey 07105, to provide, Concrete Ready Mix, Sand and Gravel to the City of Newark at a cost not to exceed Three Hundred Forty-Four Thousand Dollars and Zero Cents (\$344,000.00) for twenty-four (24) consecutive months with the start date commencing upon a fully executed contract.