



Legislation Details (With Text)

**File #:** 11-1725      **Version:** 3      **Name:** Fence Enclosure - Douglas Harrison Homes (National Fence Systems)

**Type:** Resolution      **Status:** Filed

**File created:** 12/29/2011      **In control:** Engineering

**On agenda:** 3/7/2012      **Final action:** 3/27/2012

**Title:** Dept/ Agency: Engineering  
 Action:  Ratifying    Authorizing    Amending  
 Type of Service: Bid Contract  
 Purpose: Enclosure Fence-Douglass Harrison Homes, Newark, NJ  
 Entity Name: National Fence Systems.  
 Entity Address: 1033 Route 1, Avenel, NJ 07001  
 Contract Amount: \$214,400.00  
 Funding Source: City of Newark/Engineering Budget  
 Contract Period: Ninety (90) days after the issuance of a formal 'Notice to Proceed'  
 Contract Basis:  Bid    State Vendor    Prof. Ser.    EUS  
 Fair & Open    No Reportable Contributions    RFP    RFQ  
 Private Sale    Grant    Sub-recipient    n/a  
 Additional Information:  
 Contract #26-2011  
 Bids Solicited: Six (6)  
 Bids Received: Three (3)  
 Invitation: Engineering Director, March 6, 2012  
 Deferred 7R4-c 030712  
 Deferred 7R4-a 032112

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/27/2012	3	Municipal Council	Adopt	Pass
3/21/2012	2	Municipal Council	Defer to a Special Meeting	Pass
3/7/2012	1	Municipal Council	Defer	Pass

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WHEREAS, on November 29, 2011, the Department of Engineering, City of Newark, advertised for the receipt of bids for Contract #26-2011 Enclosure Fence-Douglass Harrison Homes, Barclay, Somerset and Montgomery Streets and Muhammad Ali Avenue, Newark, NJ; pursuant to the Local Public Contracts Laws, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, on December 9, 2011, the scheduled date for the public opening of bids, three (3) bids were received; and

WHEREAS, after a review of the bid received, Mikesell & Associate, 17 Academy Street, Suite 800, Newark, NJ 07102, the professional services consultant employed by the City of Newark for this project, recommended the bid submitted by the lowest responsible bidder, National Fence Systems, 1033 Route 1, Avenel, NJ 07001; and

WHEREAS, it was also feasible and recommended by Mikesell and Associates that the Alternates are included and added to the Base Bid Amount to accommodate the sidewalk areas around the site where there are three (3) public schools adjacent to this locations' installation (Douglass Harrison Homes); and

WHEREAS, (i) Alternate #1 Replacement of sidewalk and curbing along Montgomery Street (2,030 square feet. of sidewalk and 240 linear feet of concrete curb), cost \$33,200.00 (ii) Alternate #2 Replacement of sidewalks on both sides of Spruce Street (36,000 square feet of sidewalk and 60 linear feet of concrete curb), cost \$36,900.00; and

Alternate #1	\$33,200.00
Alternate #2	\$36,900.00
	\$144,300.00
Lump Sum Amount	\$214,400.00

WHEREAS, the Director of the Department of Engineering desires to accept the bid proposal and execute Contract #26-2011 Enclosure Fence-Douglass Harrison Homes, Barclay, Somerset and Montgomery Streets and Muhammad Ali Avenue, Newark, NJ, with National Fence Systems, 1033 Route 1, Avenel, NJ 07001, for the lump sum amount of **\$214,400.00**; and

WHEREAS, presently an amount of **\$214,400.00** is identified and certified for this project, and the Director of the Department of Engineering shall not extend funds in excess of the amount until a Certification of Funds for the balance of the contract amount is filed in the Office of the City Clerk.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CTIY**

OF NEWARK, NEW JERSEY, THAT:

1. The Mayor and the Director of the Department of Engineering is hereby authorized on behalf of the City of Newark to accept the bid submitted by the lowest responsible bidder - National Fence Systems, 1033 Route 1, Avenel, NJ 07001, and execute Contract #26-2011 Enclosure Fence-Douglass Harrison Homes, Barclay, Somerset and Montgomery Streets and Muhammad Ali Avenue, Newark, NJ, for the total lump sum amount of (Base Bid Amount) \$144,300.00 + (Alternate #1) \$33,200.00 + (Alternate #2) \$36,900.00 = **\$214,400.00**.
2. Attached hereto are the Certification of Funds issued by the Chief Financial Officer, City of Newark, which state that there are available sufficient legally appropriated funds for the purpose set forth hereinabove. A copy of the Certification of Funds shall be filed in the Office of the City Clerk by the Director of the Department of Engineering together with this Resolution.
3. No change to this contract is allowed without prior Municipal Council approval.
4. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Director, Department of Engineering.
5. The term of this contract is ninety (90) days after a formal 'Notice to Proceed' by the Director, Department of Engineering or his/her designee.
6. This public bidding process under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., complies with the award requirements under the 'Fair and Open' process of the State of New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, et seq. and is in compliance with the City of Newark Executive Order and Pay-to-Play (MEO-0001-007).
7. **No Advance Payment:** No payments may be made in advance of services pursuant to N.J.S.A. 40A:5-16.
8. Funds for this contract in the amount of **\$214,400.00** are provided from:  
Fund NW045, Department 007, Project 07BR0, Account 94710, Budget Year B2007.

**STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Engineering to accept the bid submitted by the lowest responsible bidder and execute Contract #26-2011 Enclosure Fence-Douglass Harrison Homes, Barclay, Somerset, and Montgomery Streets and Muhammad Ali Avenue, Newark, NJ, with National Fence Systems, 1033 Route 1, Avenel, NJ 07001, for the total lump sum amount of (Base Bid Amount) \$144,300.00 + (Alternate #1) \$33,200.00 + (Alternate #2) \$36,900.00 = **\$214,400.00**, based on the bid proposal submitted by them on December 9, 2011. This project is to be completed within ninety (90) days after the issuance of a formal 'Notice to Proceed' by the Director of Engineering.

