



Legislation Details (With Text)

**File #:** 16-1633      **Version:** 1      **Name:** Asphalt and Concrete Mix (Hot and Cold)  
**Type:** Resolution      **Status:** Adopted  
**File created:** 10/18/2016      **In control:** Administration  
**On agenda:** 12/21/2016      **Final action:** 12/21/2016  
**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Asphalt and Concrete Mix (Hot and Cold Laid)  
Description: Street and sidewalk repair materials  
Entity Name(s)/Address(s): Newark Asphalt and Concrete Corporation, 1-3 Passaic Street (Foot of Passaic Street), Newark, New Jersey 07104  
Contract Amount: \$675,000.00  
Funding Source: 2016 Budget/Departments of Public Works, Engineering and Water and Sewer Utilities  
NW011-110-1110-83410-B2016/Public Works/Public Buildings  
NW011-160-1107-83720-B2016/Engineering/Traffic and Signals  
NW037-750-7502-83720-B2016/Water and Sewer Utilities  
Contract Period: To be established for a period not to exceed two (2) years  
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:  
Advertisement Date: September 6, 2016  
Bids solicited: Ten (10)  
Bids received: Two (2)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
12/21/2016	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on September 6, 2016, the City of Newark through its Supervising Procurement Specialist advertised to solicit bids for contractor(s) to provide Asphalt and Concrete (Hot and Cold Laid), to the Departments of Public Works, Engineering and Water and Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing, also, distributed ten (10) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on September 22, 2016, two (2) bids were received in response to this advertisement; and

**WHEREAS**, the Manager of Public Buildings, the Director of Engineering/Traffic and Signals and the Assistant Director of Water and Sewer Utilities, recommends that an award for the provision of Asphalt and Concrete (Hot and Cold Laid) to the City of Newark, be awarded to Newark Asphalt and Concrete Corporation, the lowest responsive responsible bidder; and

**WHEREAS**, the Supervising Procurement Specialist concurs with the recommendations that an award for the provision of Asphalt and Concrete (Hot and Cold Laid) to the City of Newark, be awarded to Newark Asphalt and Concrete Corporation, the lowest responsive responsible bidder; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the bidder consented to holding prices bid for consideration, until such time as 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., 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 designee, the Supervising Procurement Specialist, are hereby authorized to enter into a contract with Newark Asphalt and Concrete Corporation, 1-3 Passaic Street, Newark (Foot of Passaic Street), New Jersey 07104, to provide Asphalt and Concrete Mix (Hot and Cold Laid) to the City, whose bid was received on the advertised due date and determined to be the lowest responsive responsible bidder, in accordance with the bid specifications. The term of the contract will be established for a two (2) year term; pursuant to N.J.S.A.40A:11-3.

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 2016 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d).

4. This is an open-ended contract to be used as needed during the term of 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, for account code lines, NW011-110-1110- 83410-B2016-Public Works/Public Buildings; NW011-160-1107-83720-B2016-Engineering / Traffic and Signals NW037-750-7502-83720-B2016-Water and Sewer Utilities covering the amount of the order. This contract shall not exceed \$675,000.00 for two (2) years.

5. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Supervising Procurement Specialist.

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 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 Supervising Procurement Specialist, to enter into a contract with Newark Asphalt and Concrete Corporation, 1-3 Passaic Street, Newark (Foot of Passaic Street), New Jersey 07104, to provide Asphalt and Concrete Mix (Hot and Cold Laid) to the City of Newark, at a cost not to exceed \$675,000.00 (Six Hundred Seventy-Five Thousand Dollars and Zero Cents) for two (2) years.