



Legislation Details (With Text)

**File #:** 16-0754      **Version:** 1      **Name:** Maintenance and Repair, Fencing Inclusive of Installation  
**Type:** Resolution      **Status:** Adopted  
**File created:** 4/27/2016      **In control:** Administration  
**On agenda:** 11/2/2016      **Final action:** 11/2/2016

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Maintenance and Repair, Fence Inclusive of Installations  
Entity Name(s)/Address(s): Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07107  
Contract Amount: Amount not to exceed \$510,000.00  
Funding Source: 2016 Budget/Department of Water and Sewer Utilities NW037-750-7502-71760-B2016, Department of Public Works NW011-160-1604-71760-B2016, and NW011-110-1110-71760-B2016/Department of Economic and Housing Development, Division of Property Management NW011-070-0070-71760-B2016  
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:  
Bids solicited: Eight (8)  
Bids received: Three (3), One (1) disqualified

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

| Date      | Ver. | Action By         | Action | Result |
|-----------|------|-------------------|--------|--------|
| 11/2/2016 | 1    | Municipal Council | Adopt  | Pass   |

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**WHEREAS**, on April 12, 2016, the City of Newark, through its Supervising Procurement Specialist, advertised to solicit bids for Fence Maintenance, Repairs and Installation, which the contractor will provide to the City of Newark, for the Departments of Water and Sewer Utilities, Public Works and Economic and Housing Development, Division of Property Management to be used as described in the attached bid proposal; and

**WHEREAS**, the Division of Central Purchasing solicited eight (8) prospective vendors from its established bid list following the date of advertisement; and

**WHEREAS**, on April 28, 2016, the Division of Central Purchasing received three (3) bids in response to this advertisement; and

**WHEREAS**, one bidder was disqualified due to the submission of an incomplete bid proposal package; and

**WHEREAS**, the Departments of Water and Sewer Utilities, Public Works, and the Department of Economic and Housing Development, Division of Property Management reviewed the bids and recommended an award be made to the lowest responsive and responsible bidder, Bismark Construction Corporation; and

**WHEREAS**, the Supervising Procurement Specialist, concurs with the recommendations; and

**WHEREAS**, pursuant to N.J.S.A. 40A: 11-24, the vendor agreed to hold their prices beyond 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 designee, the Supervising Procurement Specialist, are hereby authorized to enter into contract with Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07104, for the provision of Fence Maintenance, Repair and Installation, to the City of Newark, at a cost not to exceed \$510,000.00, whose bid was received on the above advertised due date and determined to be the lowest responsive and responsible bidder in accordance with bid specifications. The term of the contract will be established for a two (2) year period; pursuant to N.J.S.A. 40A: 11-3 (b).
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 2016 and subsequent years are contingent upon appropriation; 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 incurred, each time an order is placed, from Accounts NW037-750-7502-71760-B2016, NW011-160-1604-71760-B2016, NW011-110-1110-71760-B2016, and NW011-070-0070-71760-B2016, covering the amount of the service. This contract shall not exceed \$510,000.00 for a two (2) year period.
5. A duly executed copy of this contract shall be filed 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 designee, the Supervising Procurement Specialist, to enter into a contract with Bismark Construction Corp., 207-209 Berkeley Avenue, Newark, New Jersey 07104, to provide Fence Maintenance and Repair, inclusive of Installation, to the City of Newark, at a cost not to exceed \$510,000.00 for a two (2) year term.