



Legislation Details (With Text)

**File #:** 21-1155      **Version:** 1      **Name:** Resolution: Bid Contract - Crossroads Paving - Soil Removal and Disposal Services (2021)  
**Type:** Resolution      **Status:** Adopted  
**File created:** 7/28/2021      **In control:** Water Sewer Utility  
**On agenda:** 10/6/2021      **Final action:** 10/6/2021

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract  
Purpose: Contract 08-WS2021 Soil Removal and Disposal Services (Removal from Storage Yard: 63 Newark Street, Newark, New Jersey 07103)  
Entity Name: Crossroads Paving  
Entity Address: Belleville, New Jersey 07109  
Contract Amount: Not to exceed \$1,124,900.00  
Funding Source: 2021 Budget/Department of Water and Sewer Utilities/NW051-G21-WARP0-94710-B2021  
Contract Period: 730 consecutive calendar days from the date of a written Notice to Proceed  
Contract Basis: (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
(X) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
Bids Solicited: Five (5)  
Bids Received: Four (4)  
Bids Rejected: One (1)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/6/2021	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on May 24, 2021, the City of Newark (the "City") advertised Contract 08-WS2021 Soil Removal and Disposal Services (Removal from Storage Yard: 63 Newark Street, Newark, New Jersey) and distributed five (5) bid documents; and

**WHEREAS**, on June 11, 2021, the Department of Water and Sewer Utilities received four (4) bids for the project in accordance with the Local Public Contract Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Crossroads Paving, 40 Washington Avenue, Belleville, New Jersey 07109, submitted the lowest responsive and responsible bid according to the specifications and in the amount of One Million One Hundred Twenty-Four Thousand Nine Hundred Dollars and Zero Cents (\$1,124,900.00); and

**WHEREAS**, this contract is being awarded pursuant to Fair and Open Procedures of the State Pay-to-Play Law, N.J.S.A. 19:44A-20.5 and pursuant to the provisions of Local Public Contract Law, N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the City wishes to accept the bid submitted by Crossroads Paving on June 11, 2021, and execute Contract 08-WS2021 Soil Removal and Disposal Services (Removal from Storage Yard: 63 Newark Street, Newark, New Jersey), with Crossroads Paving, 40 Washington Avenue, Belleville, New Jersey 07109. For a total amount not to exceed One Million One Hundred Twenty-Four Thousand Nine Hundred Dollars and Zero Cents (\$1,124,900.00); and

**WHEREAS**, on August 1, 2012, the Newark Municipal Council adopted the Contractor Pay-to-Play Ordinance, R.O 2:4-22C, which forbids the award of a contract of a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates, and political and political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark Municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds.

**NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Municipal Council hereby authorizes the Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the lowest responsive and responsible bid submitted on June 11, 2021 by Crossroads Paving, 40 Washington Avenue, Belleville, New Jersey 07109, and execute Contract 08-WS2021 Soil Removal and Disposal Services (Removal from Storage Yard: 63 Newark Street, Newark, New Jersey), with Crossroads Paving, for a total amount not to exceed One Million One Hundred Twenty-Four Thousand Nine Hundred Dollars and Zero Cents (\$1,124,900.00).
2. The Contract shall be completed within 730 consecutive calendar days from the date of a written Notice to Proceed issued by the City's Department of Water and Sewer Utilities to Crossroads Paving.
3. Pursuant to N.J.A.C. 5:30-5.5, attached hereto is a partial Certification of Funds issued by the

Director of the Department of Finance, which states that funds in the amount of five Hundred Thousand dollars and Zero Cents (\$550,000.00), are available in the 2021 Budget under Business Unit: NW051, Department ID: G21, Project: WARP0, Account #94710, Budget Ref. B2021. The certification shall be filed along with the original resolution in the Office of the City Clerk. The remainder of the funding for the contract will be subject to appropriation in the 2022 Budget and included in a line item for the award of this contract and said funds will be certified prior to services being provided by the contractor. There will be no expenditure of funds authorized until a Certification of Funds is obtained and a copy filed with the Office of the City Clerk.

4. There shall be no amendment or change to the contract without approval by the Municipal Council.
5. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.
6. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Director of the Department of Water and Sewer Utilities
7. This contract was solicited and awarded pursuant to the Fair and Open Procedures in accordance with State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i) and is in compliance with the City's Contractor Pay-to-Play reform Ordinance, R.O. 2:4-22C.
8. If required by State Law, the City Clerk shall provide the appropriate notice of the award of the 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 Director of the Department of Water and Sewer utilities, to accept the lowest responsive and responsible bid submitted by Crossroads Paving, 40 Washington Avenue, Belleville, New Jersey 07109, and enter into and execute Contract 08-WS2021 Soil Removal and Disposal Services (Removal from Storage Yard: 63 Newark Street, Newark, New Jersey), with Crossroads Paving, for a total amount not to exceed \$1,124,900.00. The contract shall be completed within 730 consecutive calendar days from the date of a written Notice to Proceed issued by the Director of Water and Sewer Utilities.