



Legislation Details (With Text)

**File #:** 21-1208      **Version:** 1      **Name:** Resolution - Bid Contract 15-WS2017- Montana Construction

**Type:** Resolution      **Status:** Adopted

**File created:** 8/12/2021      **In control:** Water Sewer Utility

**On agenda:** 10/6/2021      **Final action:** 10/6/2021

**Title:** Dept/ Agency: Water and Sewer Utilities  
 Action:  Ratifying  Authorizing  Amending  
 Type of Service: Bid Contract  
 Purpose: Phase-2(A) Sewer Cleaning and Rehabilitation - Contract 15-WS2017  
 Entity Name: Montana Construction Corporation, Inc.  
 Entity Address: 80 Contant Avenue, Lodi, New Jersey 07644  
 Contract Amount: Not to exceed \$2,669,590.00  
 Funding Source: 2011 Budget/Department of Water and Sewer Utilities Budget/Business Unit: NW044, Dept. 11G, Div./Proj. 11SAO Activity A, Account #94710, Budget Ref. B2011  
 Contract Period: 320 calendar days to final completion from the date of the written 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:  
 Bid Packages Distributed: Eight (8)  
 Bids Received: Three (3)

**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**, the City of Newark (the “City”) advertised Contract 15-WS2017 Phase-2(A) Sewer Cleaning and Rehabilitation located at various locations in the City of Newark, on June 30, 2021; and

**WHEREAS**, the Department of Water and Sewer Utilities (the “Department”) distributed eight (8) bid packages to prospective vendors following the date of bid advertisement; and

**WHEREAS**, on July 29, 2021, the Department received three (3) bids for said project in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, submitted the lowest responsive and responsible bid, according to the specifications in the total amount of Two Million, Six Hundred Forty-Nine Thousand, Eight Hundred Ninety Dollars and Zero Cents (\$2,649,890.00) for the base bid, and in the total amount of Nineteen Thousand Seven Hundred Dollars and Zero Cents (\$19,700.00) for the supplemental bid, with a combined base bid and supplemental bid total amount of Two Million Six Hundred Sixty-Nine Thousand, Five Hundred Ninety Dollars and Zero Cents (\$2,669,590.00); and

**WHEREAS**, the City wishes to accept the lowest responsible bid submitted by Montana Construction Corporation, Inc. on July 29, 2021, and enter into and execute Contract 15-WS2017 Phase-2(A) Sewer Cleaning and Rehabilitation, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, for the total amount of Two Million, Six Hundred Forty-Nine Thousand, Eight Hundred Ninety Dollars and Zero Cents (\$2,649,890.00) for the base bid, and in the total amount of Nineteen Thousand Seven Hundred Dollars and Zero Cents (\$19,700.00) for the supplemental bid, with a combined base bid and supplemental bid total amount not to exceed Two Million Six Hundred Sixty-Nine Thousand, Five Hundred Ninety Dollars and Zero Cents (\$2,669,590.00); and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform 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 or 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; and

**WHEREAS**, this contract is for an amount over \$17,500.00 and is being awarded as a Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5.

**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 responsible bid submitted by Montana Construction Corporation, Inc., on July 29, 2021, and enter into and execute Contract 15-WS2017 Phase-2(A) Sewer Cleaning and Rehabilitation, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, for the combined base bid and supplemental bid total amount not to exceed Two Million Six Hundred Sixty-Nine Thousand, Five Hundred Ninety Dollars and Zero Cents (\$2,669,590.00).

2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of Two Million Six Hundred Sixty-Nine Thousand, Five Hundred Ninety Dollars and Zero Cents (\$2,669,590.00), are available in the 2011 Budget under Business Unit: NW044, Department ID: 11G, Project: 11SA0, Account #94710, Budget Ref. B2011 and which shall be filed along with the original resolution in the Office of the City Clerk.
3. There shall be no amendment or change to the contract without approval by the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
3. The Department of Water and Sewer Utilities shall file a fully executed copy of the contract in the Office of the City Clerk.
3. This contract was solicited and awarded pursuant to the provisions of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and is in compliance with the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
3. If required by the 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 of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted by Montana Construction Corporation, Inc. on July 29, 2029, and enter into and execute Contract 15-WS2017 Phase-2(A) Sewer Cleaning and Rehabilitation, located at various locations in the City of Newark, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, for the combined base bid and supplemental bid total amount not to exceed \$2,669,590.00.