



## Legislation Details (With Text)

**File #:** 14-0061      **Version:** 1      **Name:** SPECIAL CONF 012814-Spiniello Companies / Sewer Rehabilitation  
**Type:** Resolution      **Status:** Filed  
**File created:** 1/15/2014      **In control:** Water Sewer Utility  
**On agenda:** 2/5/2014      **Final action:** 2/6/2014

**Title:** Dept/ Agency: Water and Sewer Utilities  
Action:  Ratifying  Authorizing  Amending  
Type of Service: Bid Contract  
Purpose: Phase-VI(H) Sewer Rehabilitation - Contract 08-WS2009  
Entity Name: Spiniello Companies  
Entity Address: 354 Eisenhower Parkway, Livingston, New Jersey 07039  
Total Contract Amount: \$7,726,500.00  
Funding Source: Department of Water and Sewer Utilities Capital Budget  
Contract Period: 320 days from 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: N/A  
Bid Packages Distributed: Nine (9)  
Bids Received: Two (2)  
Invitation: Director of Water and Sewer Utilities, February 4, 2014

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
2/6/2014	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on December 18, 2013, the City of Newark publicly advertised invitations to bid

for Phase-VI(H) Sewer Rehabilitation at various locations in the City of Newark, Contract 08-WS2009, both in the appropriately designated newspaper and on the City of Newark's website, with bids due on January 15, 2014 (copies of the advertisements are attached hereto and made a part hereof); and

**WHEREAS**, it was subsequently discovered that the advertisement that had appeared in the newspaper on December 18, 2013, had not been printed in its entirety, and therefore the advertisement was reprinted in the newspaper on January 6, 2014 (a copy which is attached hereto and made a part hereof); and

**WHEREAS**, the Department of Water and Sewer Utilities distributed nine (9) bid packages to prospective vendors following the bid advertisements; and

**WHEREAS**, on January 15, 2014, two (2) bids were received for the said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, submitted the lowest responsive and responsible bid according to the specifications, in the amount of \$7,726,500.00 (a copy of the Bid Tabulation Sheet is attached hereto and made a part hereof); and

**WHEREAS**, Contract 08-WS2009 Phase-VI(H) Sewer Rehabilitation is funded by a low-interest loan from the New Jersey Department of Environmental Protection ("NJDEP") and the New Jersey Environmental Infrastructure Trust, and for which the City of Newark received an approval from the NJDEP; and

**WHEREAS**, the Acting Director of the City of Newark's Department of Water and Sewer Utilities recommends the City enter into and execute Contract No. 08-WS2009 with Spiniello Companies for Phase-VI(H) Sewer Rehabilitation at various locations in the City for a total amount not to exceed \$7,726,500.00 (a copy of the Bid Evaluation Report is attached hereto and made a part hereof).

**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 and/or his designee, the Acting Director of the Department of Water and Sewer Utilities, to enter into and execute Contract 08-WS2009 with Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, for Phase -VI(H) Sewer Rehabilitation, for the total amount not to exceed \$7,726,500.00.
2. The rehabilitation work described in, and required by, this contract is to be completed within 320 calendar days after issuance of a Notice to Proceed.
3. Attached is the Certification of Funds issued by the Acting Director of Finance of the City of Newark which states that there are available sufficient legally appropriated funds for the purposes set forth herein above for this project, more specifically as follows: Business Unit NW044, Department ID 13S, Div./Proj. 13SB0, Account 94710. A copy of the Certification of Funds shall be filed in the Office of the City Clerk by the Acting Director of the Department of Water and Sewer Utilities, along with the original resolution.

3. There shall be no amendment or change to the contract without approval by the Newark Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
3. A fully executed copy of the contract shall be filed in the Office of the City Clerk, by the Acting Director of the Department of Water and Sewer Utilities.
3. A fully executed copy of the contract shall be filed with the New Jersey Department of Environmental Protection by the Acting Director of the Department of Water and Sewer Utilities.
3. This contract was solicited and awarded through a publicly advertised bid in accordance with New Jersey's "Local Public Contracts Law," N.J.S.A 40A:11-1 et seq., which is a "fair and open process" in accordance with the "New Jersey Local Unit Pay-to-Play" law, N.J.S.A. 19:44A-20.4 et seq., and in accordance with the City of Newark's "Executive Order On Contract Pay-to-Play Reform," MEO-07-0001, and "Contractor Pay-to-Play Reform Ordinance."
3. The City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller, in the form attached hereto, 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 Acting Director of the Department of Water and Sewer Utilities, to enter into and execute Contract 08-WS2009 with Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, for Phase-VI(H) Sewer Rehabilitation at various locations in the City of Newark, for a total amount not to exceed \$7,726,500.00, with said rehabilitation work to be completed within 320 calendar days after issuance of a Notice to Proceed.