



## Legislation Details (With Text)

**File #:** 19-0595      **Version:** 1      **Name:** Asphalt and Concrete Mix (Hot and Cold Laid)

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

**File created:** 4/2/2019      **In control:** Administration

**On agenda:** 7/10/2019      **Final action:** 7/10/2019

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
 Action:  Ratifying  Authorizing  Amending  
 Type of Service: Bid Contract(s)  
 Purpose: To purchase asphalt and concrete mix, (hot and cold laid) to the City.  
 Description: Asphalt Concrete Mix, (Hot and Cold Laid)  
 Entity Name(s)/Address(s): Newark Asphalt Corporation, 1-3 Passaic Street (Foot of Passaic Street), Newark, New Jersey 07104  
 Contract Amount: \$900,000.00  
 Funding Source: 2019 Budget/Department of Public Works/Division of Sanitation/NW011-060-0605-71930-B2019 and Department of Water and Sewer/NW037-750-7502-83720-B2019  
 Contract Period: To be established for a period not to exceed two (2) years, pursuant to N.J.S.A. 40A:11-15  
 Contract Basis:  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  n/a  
 Additional Information:  
 The Departments of Public Works/Division of Sanitation and the Department of Water and Sewer Utilities, are purchasing Asphalt and Concrete Mix (Hot and Cold Laid) for the of repairs of pot holes and other required repairs to the City.

Advertisement Date: January 29, 2019  
 Bids Solicited: Seven (7)  
 Bids Received: One (1)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
7/10/2019	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on January 15, 2019, the City of Newark through its Purchasing Agent, QPA, advertised to solicit bids for contractor(s) to provide Asphalt Concrete Mix, (Hot and Cold Laid), to the Departments of Public Works and Water and Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing also distributed seven (7) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on February 14, 2019, one (1) bid was received in response to this advertisement; and

**WHEREAS**, the Director for the Department of Public Works/Division of Sanitation and the Acting Director for the Department of Water and Sewer Utilities recommends that an award be made to Newark Asphalt Corporation, 1-3 Passaic Street (Foot of Passaic Street), Newark, New Jersey 07014, the only responsive, and responsible bidder; and

**WHEREAS**, the Purchasing Agent, QPA concurred with the recommendations from the Director for the Department of Public Works/Division of Sanitation and the Acting Director for the Department of Water and Sewer Utilities, that an award be made to Newark Asphalt Corporation, the only 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 Purchasing Agent, QPA, are authorized to enter into a contract with Newark Asphalt Corporation, 1-3 Passaic Street (Foot of Passaic Street), Newark, New Jersey 07104 to receive line items #1, 2, 3, 4, 5, 6, 7, 9 and 10 for year one and year two, 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 only responsible, responsive bidder, in accordance with the bid specifications. The term of the contract will be established for a period not to exceed a two (2) year

term, pursuant to N.J.S.A.40A:11-15, at a cost not to exceed \$900,000.00 for one (1) vendor.

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 2019 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, from Account Code lines:2019 Budgets/Department of Public Works/Division of Sanitation/ NW011-060-0605-71930-B2019 and the Department of Water and Sewer Utilities/NW037-750-7502-83720-B2019, covering the amount of the order. This contract shall not exceed \$900,000.00 for a period to be established not to exceed two (2) years.

5. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Purchasing Agent, QPA.

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 Purchasing Agent, QPA to enter into a contract with Newark Asphalt Corporation, to provide Asphalt and Concrete Mix (Hot and Cold Laid) to the City of Newark, at a cost not to exceed \$900,000.00 for a period to be established not to exceed two (2) years.