



Legislation Details (With Text)

**File #:** 12-1451      **Version:** 1      **Name:** Delancy St Improvements, Contract # 07-2010R  
**Type:** Resolution      **Status:** Filed  
**File created:** 6/27/2012      **In control:** Engineering  
**On agenda:** 9/6/2012      **Final action:** 9/6/2012  
**Title:** Dept/ Agency: Engineering  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract  
Purpose: Delancy Street Drainage and Roadway Improvements Project  
Entity Name: J.A. Alexander, Inc.  
Entity Address: 130-158 John F. Kennedy Drive, North, Bloomfield, New Jersey 07003  
Contract Amount: \$2,233,557.47  
Funding Source: Capital Budget  
Contract Period: Three Hundred Sixty Five (365) consecutive calendar days from issuance of a formal Notice to Proceed  
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:  
Bids Received: 13  
Bids Rejected: 13  
Bids Re-Solicited:  
Bids Received: 7  
Contract No. 07-2010R

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
9/6/2012	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the Division of Traffic and Signals, Department of Engineering, City of Newark, originally advertised for the receipt of bids on April 12, 2011, for Contract No. 07-2010R, Delancy Street Drainage and Roadway Improvements Project; and

**WHEREAS**, all thirteen (13) bid proposals for Contract No. 07-2010R, Delancy Street Drainage and Roadway Improvements Project that were received on May 26, 2011 were rejected due to the lowest bidder not meeting the required minimum of 25% of contract dollars that must be awarded to a Minority Business Enterprise (MBE) and all other bids received substantially exceeded the City of Newark's engineers estimate; and

**WHEREAS**, the Division of Traffic and Signals, Department of Engineering, City of Newark, readvertised for the receipt of bids on March 15, 2012, for Contract No. 07-2010R, Delancy Street Drainage and Roadway Improvements Project; and

**WHEREAS**, on April 26, 2012, seven (7) bids were received for Contract No. 07-2010R, Delancy Street Drainage and Roadway Improvements Project, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, based on a review of the bids, the Director of the Department of Engineering desires to accept the bid proposal submitted by the lowest responsible bidder J.A. Alexander, Inc., 130-158 John F. Kennedy Drive, North, Bloomfield, New Jersey 07003 and execute Contract No. 07-2010R, Delancy Street Drainage and Roadway Improvements Project, for the Base Bid (\$1,559,878.25), plus Alternate #2 (\$673,679.22), in the total amount not to exceed \$2,233,557.47.

**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 Director of the Department of Engineering, are hereby authorized on behalf of the City of Newark to accept the bid proposal submitted by the lowest responsible bidder, J.A. Alexander, Inc., 130-158 John F. Kennedy Drive, North, Bloomfield, New Jersey 07003, and execute Contract No. 07-2010R, Delancy Street Drainage and Roadway Improvements Project, for the Base Bid plus Alternate #2, in the total amount not to exceed \$2,233,557.47.
2. Attached hereto is certification of partial funds issued by the Chief Financial Officer, City of Newark, which states that there are available sufficient legally appropriated funds in the amount of \$1,615,670.01 for the purpose set forth hereinabove. Copies of the certification of funds issued shall be filed in the Office of the City Clerk by the Director of the Department of Engineering together with this resolution. The balance of the funds will be provided for from the City of Newark 2012 Budget. No expenditures shall be authorized or work conducted above \$1,615,670.01, unless and until there are sufficient appropriated funds.

3. No changes to this contract are allowed without prior Municipal Council approval.
4. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Director of the Department of Engineering.
5. This contract is to be completed within a period of Three Hundred Sixty Five Days (365) consecutive calendar days from issuance of a formal Notice to Proceed by the Director of the Department of Engineering.
6. The public bidding process under the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., complies with the Fair and Open Process of the State of New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, et seq.
7. Partial Funds for this contract in the amount of \$1,615,670.01 is provided as below:  
  
Fund 045, Dept. 007, Project 07B20, Account 94710,  
Budget Year B2007  
  
The balance of the funds to be provided in the 2012 Budget.
8. Notice of the award of this contract shall be provided by the Office of the City Clerk, on the form attached hereto, to the New Jersey State Comptroller, in accordance with N.J.S.A. 52:15C-10, as the contracted amount exceeds \$2 million dollars.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Engineering, to accept the bid proposal submitted by the lowest responsible bidder J.A. Alexander, Inc., 130-158 John F. Kennedy Drive, North, Bloomfield, New Jersey 07003, and execute Contract No. 07-2010R, Delancy Street Drainage and Roadway Improvements Project, with them for the Base Bid plus Alternate #2, in the amount not to exceed \$2,233,557.47.