



Legislation Details (With Text)

File #: 21-0095 **Version:** 1 **Name:** Resolution: Supply and Delivery of Water Purification Chemicals - Contract # 11-WS2020 (Re-bid) (2 Vendors)

Type: Resolution **Status:** Adopted

File created: 1/20/2021 **In control:** Water Sewer Utility

On agenda: 2/3/2021 **Final action:** 2/3/2021

Title: Dept/ Agency: Water and Sewer Utilities
 Action: Ratifying Authorizing Amending
 Type of Service: Bid Contract
 Purpose: To provide supply and delivery of Water Purification Chemicals for the City of Newark's Pequannock Water Treatment Plant- Contract # 11-WS2020. (Re-bid)
 Entity Name and Address:
 1) Brenntag Northeast, LLC, 81 W. Huller Lane, Reading, Pennsylvania 19605
 2) Carmeuse Lime and Stone, Inc., 11 Stanwix Street, 21st Floor, Pittsburgh, Pennsylvania 15222
 Contract Amount: Not to exceed \$400,000.00, the combined cost for two (2) chemical suppliers
 Funding Source: 2021 Budget/Department of Water and Sewer Utilities/ NW037-750-7502-83230-B2021
 Contract Period: Two (2) years 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:
 Bids Solicited: Five (5)
 Bids Received: Two (2)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
2/3/2021	1	Municipal Council	Adopt	Pass

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WHEREAS, the City of Newark is in need of suppliers to provide bulk water purification chemicals necessary to treat the water at the Pequannock Water Treatment Plant for the operation of the City of Newark's water utility system; and

WHEREAS, pursuant to the public bidding process under Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Department of Water and Sewer Utilities advertised on October 20, 2020, in a general circulation newspaper, for the receipt of sealed bids for Supply and Delivery of Water Purification Chemicals for the City of Newark's Pequannock Water Treatment Plant; and

WHEREAS, Five (5) prospective bidders requested Bid Specifications from the Department of Water and Sewer Utilities; and

WHEREAS, on December 10, 2020 the Department of Water and Sewer Utilities received sealed bids from two (2) contractors for the supply of certain water purification chemicals for water treatment at the Pequannock Water Treatment Plant; and

WHEREAS, upon review of the bids submitted, the Department of Water and Sewer Utilities, has determined that the following contractors submitted the lowest responsible bids in compliance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.:

- Brenntag Northeast, LLC, 81 W. Huller Lane, Reading, Pennsylvania 19605-9728, to supply liquid (Sodium Permanganate) in totes @ \$9.1672 per Gal. for Year 1 and for Year 2; and
- Carmeuse Lime & Stone Inc., 11 Stanwix Street, 21st Floor, Pittsburgh, PA 15222 to supply Hydrated Lime @ \$176.71 per Ton. for Year 1 and for Year 2; and

WHEREAS, the Department of Water and Sewer Utilities reviewed the bids and found that the objectives of competitive bidding were achieved, that favorable bid prices were received, and that: 1) Brentagg Northeast, LLC; and 2) Carmeuse Lime and Stone, Inc., are responsible contractors capable of providing the products in accordance with the bid specifications; and

WHEREAS, based on the above findings, the City of Newark has determined that in accordance with N.J.S.A. 40A:11-1 et seq., the above listed contractors constitute the lowest and responsible bidders for each of the products; and

WHEREAS, the City of Newark desires to award a contract to each of the aforementioned vendors in the amounts specified in the Bids for the supply of chemicals for water treatment at the Pequannock Water Treatment Plant, for the period of two (2) years from the date of the Notice to Proceed; and

WHEREAS, the award of this contract is necessary for the efficient operation of the City of Newark's Pequannock Water Treatment Plant and is in compliance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and with the Fair and Open Process described in the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, et seq.; 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 to 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 candidates 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 Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities is hereby authorized to enter into contracts with the following suppliers of water purification chemicals for a term of two (2) years, commencing on the date of the Notice to Proceed, as follows:
 - Brenntag Northeast, LLC, 81 W. Huller Lane, Reading, Pennsylvania 19605-9728, to supply liquid (Sodium Permanganate) in totes @ \$9.1672 per Gal. for Year 1 and for Year 2.
 - Carmeuse Lime & Stone Inc., 11 Stanwix Street, 21st Floor, Pittsburgh, Pennsylvania 15222 to supply Hydrated Lime @ \$176.71 per Ton. for Year 1 and for Year 2.
2. This contract was solicited and awarded pursuant to the Fair and Open Procedures in accordance with the 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.
3. These are open-ended contracts to be used as needed during the term of the contracts. Thus, for any and all expenditures against the contracts, a Certification of Funds attesting to the availability of sufficient funds, as required by and pursuant to N.J.A.C. 5:30-5.5(b), shall be executed before a contractual liability is incurred each time an order is placed from Account Code Line: NW037-750-83230-B2020, covering the amount of the order. These contracts shall not exceed a combined total cost, for both chemical suppliers of Four Hundred Thousand Dollars and Zero Cents (\$400,000.00) for two (2) years based on quantity.
4. It is the responsibility of the Director of the Department of Water and Sewer Utilities to ascertain the availability of sufficient funds before ordering the water purification chemicals and to assure that the chemicals provided are in compliance with the specifications; furthermore, the Director will provide the Municipal Council and the Business Administrator with appropriate monthly reports during the term of the contract.
5. There shall be no amendment or change to the contracts without prior approval by the Municipal Council.
6. There shall be no advance payments made against the contracts in accordance with N.J.A.C. 40A:5-16.
7. The Director of the Department of Water and Sewer Utilities shall file duly executed copies of the contracts in the Office of the City Clerk.

8. If required by State Law, the City Clerk shall provide the appropriate Notice of the Award of these contracts 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 and/or his designee, the Director of the Department of Water and Sewer Utilities, to enter into and execute contracts with: 1) Brentagg Northeast, LLC; and 2) Carmeuse Lime and Stone, Inc., for the purpose of the Supply and Delivery of Water Purification Chemicals for the City of Newark's Pequannock Water Treatment Plant from the date of the Notice to Proceed, for a combined total cost, for both two (2) chemical suppliers, not to exceed \$400,000.00 for two (2) years based on quantity.