



Legislation Details (With Text)

**File #:** 22-1263      **Version:** 1      **Name:** Resolution: Bid Contract - Asphalt Concrete Mix (Hot and Cold Laid)

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

**File created:** 9/1/2022      **In control:** Administration

**On agenda:** 10/5/2022      **Final action:** 10/5/2022

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Bid Contract(s)  
 Purpose: To provide Asphalt Concrete Mix (Hot and Cold Mix).  
 Entity Name(s)/Address(s): Stavola Asphalt Company, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724  
 Contract Amount: Not to exceed \$950,000.00  
 Funding Source: 2022 Budget/Department of Public Works, Division of Sanitation/NW011-060-0605-83720-B2022/Department of Water and Sewer Utilities/NW037-750-7502-83720-B2022  
 Contract Period: To be established for a period not to exceed twenty-four (24) consecutive months commencing upon fully executed contract  
 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:  
  
 1st Advertisement: April 20, 2022  
 Bids Downloaded: Ten (10)  
 Bids Received: One (1)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/5/2022	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on April 20, 2022, the City of Newark through its Purchasing Agent, QPA, (the “City) advertised to solicit bids for contractors to provide Asphalt Concrete Mix (Hot and Cold Laid) for the Departments of Public Works, Division of Sanitation and Water and Sewer Utilities, as described in the attached bid proposal; and

**WHEREAS**, the Division of Central Purchasing published the bid package on the City of Newark’s Procurement Now Portal website to provide broader access and download capability to potential bidders; and

**WHEREAS**, via the Procurement Now Portal ten (10) bid proposal packages were downloaded by prospective vendors following the date of advertisement; and

**WHEREAS**, on May 5, 2022, the Division of Central Purchasing received one (1) bid in response to this advertisement; and

**WHEREAS**, the bid result was shared with the user agencies and the recommendations to award were received from the Department of Public Works, Division of Sanitation and the Department of Water and Sewer Utilities for a sole award to be made to: Stavola Asphalt Company, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724, and

**WHEREAS**, the Purchasing Agent, QPA, concurs with the recommendations that an award be made to: Stavola Asphalt Company, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724, the only responsive and responsible bidder to the line items 3, 4, 5, 6, 7, 9, and 10, for year (1) and year (2) to provide Asphalt Concrete Mix (Hot and Cold Laid) to the City; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding their bid beyond sixty (60) days; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A20.5 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 of the City of Newark and/or the Business Administrator are hereby authorized to enter into and execute a contract with: Stavola Asphalt Company, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724 the only responsible and responsive bidder to provide Asphalt Concrete Mix (Hot and Cold Laid) for line items #3, 4, 5, 6, 7, 9 and 10 for year one (1) and year two (2). The term of the contract will be established for a period not to exceed twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15, start date to commence upon fully executed contract by the City of Newark. No bids were received for line items #1, 2 and 8 for year one (1) and year two (2).
2. There shall be no amendment or change of this contract without the approval of the Municipal Council.

3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2022 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d)(2).
4. This is an open-ended contract to be used as needed during the term of the 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 Line: NW011-060-0605-83720-B2022/Department Public Works, Division of Sanitation and NW037-750-7502-83720-2022/Department of Water and Sewer Utilities, covering the amount of the order. This contract shall not exceed Nine Hundred and Fifty Thousand Dollars and Zero Cents (\$950,000.00) for twenty-four (24) consecutive months for one (1) vendor.
5. The Purchasing Agent, QPA, shall file a duly executed copy of this contract in the Office of the City Clerk.
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 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 of the City of Newark and/or the Business Administrator to enter into and execute a contract with Stavola Asphalt Company, Inc., 175 Drift Road, Tinton Falls, New Jersey 07724 to provide, Asphalt Concrete Mix (Hot and Cold Laid) to the City of Newark at a cost not to exceed \$950,000.00 for twenty-four (24) consecutive months commencing upon a fully executed contract by the City of Newark.