



## Legislation Details (With Text)

**File #:** 13-1821      **Version:** 1      **Name:** Fuel Oil Heating #2 W/Repairs, Commercial and Residential  
**Type:** Resolution      **Status:** Filed  
**File created:** 9/23/2013      **In control:** Administration  
**On agenda:** 2/5/2014      **Final action:** 2/6/2014

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Fuel Oil #2 Heating W/Repairs, Residential & Commercial Properties  
Entity Name(s)/Address(s): Naughton Energy Corp., 1898 Route 940, Box 709, Pocono Pines, Pennsylvania 18350  
Contract Amount: Not to exceed \$500,000.00  
Funding Source: City of Newark Budget/Departments of Economic and Housing Development and Water and Sewer Utilities  
Contract Period: To be established for a period not to exceed two (2) years  
Contract Basis: (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Entity Name/Address:  
(List vendors here - only if list is long)  
Additional Information:  
Bids solicited: Eight (8)  
Bids received: One (1)

**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 August 27, 2013, the City of Newark through its Purchasing Director, advertised to solicit bids for contractor(s) to provide, **Fuel Oil #2 Heating W/Repairs, Residential & Commercial Properties**, to the Departments of Economic and Housing Development and Water and Sewer Utilities, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing solicited eight (8) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on September 12, 2013, one (1) bid was received in response to this advertisement; and

**WHEREAS**, the Purchasing Director recommends an award be made to **Naughton Energy Corp.**, the only responsive, responsible bidder; 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 Director, are hereby authorized to enter into a contract with **Naughton Energy Corp., 1898 Route 940, Box 709, Pocono Pines, Pennsylvania 18350**, to provide **Fuel Oil #2 Heating W/Repairs, Residential & Commercial Properties**, to the City, whose bid was received on the advertised due date and determined to be the only responsive, responsible bidder, in accordance with the bid specifications. The term of the contract will be established for a two (2) year term, pursuant to N.J.S.A.40A:11-3.

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 2013 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 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, covering the amount of the order. This contract shall not exceed \$500,000.00 for two (2) years.

5. Pursuant to N.J.S.A. 27:25-17, any and all debts, expenses or obligations incurred by the City shall be payable only from funds available to the City of Newark, and no liability or obligation shall be incurred by the City of Newark beyond the extent to which monies are available.

6. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Purchasing Director.

7. If required by the 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 contract is awarded to **Naughton Energy Corp.**, to provide **Fuel Oil #2 Heating W/Repairs, Residential & Commercial Properties**, to the City of Newark, at a cost not to exceed \$500,000.00 for two (2) years.