



Legislation Details (With Text)

File #: 14-1771 **Version:** 1 **Name:** Maintenance and Repair of Emergency Generators at Water and Sewer Utilities
Type: Resolution **Status:** Filed
File created: 10/21/2014 **In control:** Water Sewer Utility
On agenda: 4/1/2015 **Final action:** 4/1/2015

Title: Dept/ Agency: Water and Sewer Utilities
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract
Purpose: Maintenance and Repair of Emergency Generators at the City's Water Supply Facilities
Entity Name: FM Generators, Inc.
Entity Address: 35 Pequit Street, Canton, Massachusetts 02021
Contract Amount: \$50,250.00 for a period of two (2) years
Funding Source: City of Newark/Department of Water and Sewer Utilities Budget
Contract Period: Not to exceed two (2) years from the date of the 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:
Bid Packages Distributed: Seven (7)
Bids Received: Two (2)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
4/1/2015	1	Municipal Council	Adopt	Pass

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WHEREAS, on or about August 1, 2014, the City of Newark, Department of Water and Sewer Utilities advertised to solicit bids for Contract to Perform Maintenance and Repair of its Emergency Generators at its Water Supply Facilities; and

WHEREAS, the Department of Water and Sewer Utilities distributed seven (7) bid packages to prospective vendors following the date of advertisement; and

WHEREAS, on August 15, 2014, the City received two (2) bids in response to the solicitation in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, after a review and evaluation of the bids received, the Department of Water and Sewer Utilities concluded FM Generators, Inc., 35 Pequit Street, Canton, Massachusetts 02021, submitted the lowest responsive and responsible bid in the amount of Fifty Thousand Two Hundred Fifty Dollars and No Cents (\$50,250.00) for preventive maintenance and repairs, according to the bid specifications; and

WHEREAS, the Department of Water and Sewer Utilities concluded that it is in the best interests of the City of Newark to accept the bid and execute the contract for the Maintenance and Repair of its Emergency Generators at its Water Supply Facilities, with FM Generators, Inc., 35 Pequit Street, Canton, Massachusetts 02021, for a total amount not to exceed Fifty Thousand Two Hundred Fifty Dollars and No Cents (\$50,250.00); and

WHEREAS, pursuant to N.J.S.A. 19:4A-20.5, et seq., solicitation through the public bidding of contract 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 his designee, the Director of the Department of Water and Sewer Utilities, is hereby authorized, on behalf of the City of Newark, to accept the lowest responsive and responsible bid submitted and execute a contract with FM Generators, Inc., 35 Pequit Street, Canton, Massachusetts 02021, to Perform Maintenance and Repair of Emergency Generators at the City's Water Supply Facilities, for a total amount not to exceed Fifty Thousand Two Hundred Fifty Dollars and No Cents (\$50,250.00) for a period of two (2) years from the date of the Notice to Proceed issued by the Department of Water and Sewer Utilities.
2. This resolution and contract is being adopted during a period when the City of Newark is operating under a temporary budget as provided for in N.J.S.A. 40A:4-19. Pursuant to N.J.A.C. 5:30-5.5, attached hereto is a partial Certification of Funds from the Acting Director of Finance which states that funds in the amount of \$10,000.00, which were secured by the Department of Water and Sewer Utilities in 2014, are available in the 2015 Budget to Perform Maintenance and Repair of Emergency Generators at Water Supply Facilities under Business Unit: NW037, Department ID: 750, Division/Project: 7502, Account# 71770. The certification shall be filed along with the original resolution in the Office of the City Clerk. The remainder of the funding for this Contract shall be subject to the appropriation of legally sufficient funds. Immediately after the final budget adoption, the Department of Water and Sewer Utilities shall secure a Certification of Funds for the remaining balance and the contract shall be included as a line item for the 2015 and 2016 Budget. The Certification will state that there are sufficient legally appropriated funds available for the continuation of this contract and said funds will be certified prior to additional services being provided by the contractor. There will be no expenditure of funds authorized until a Certification of Funds is obtained and a copy filed with

the Office of the City Clerk.

3. There shall be no amendment or change to the contract without approval by the Newark Municipal Council.
4. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
5. A fully executed copy of the contract shall be filed in the Office of the City Clerk by the Director of the Department of Water and Sewer Utilities.
6. This contract was solicited and awarded through a fair and open process in accordance with N.J.S.A. 19:44A-20.5.
7. 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 his designee, the Director of the Department of Water and Sewer Utilities, to accept the lowest responsive and responsible bid and execute a contract with FM Generators, Inc., 35 Pequit Street, Canton, Massachusetts 02021 ,for the Maintenance and Repair of Emergency Generators at the City's Water Supply Facilities, for an amount not to exceed Fifty Thousand Two Hundred Fifty Dollars and No Cents (\$50,250.00), for a period of two (2) years from the date of the Notice to Proceed issued by the Department of Water and Sewer Utilities.