



Legislation Details (With Text)

**File #:** 20-0380      **Version:** 1      **Name:** Maintenance and Repair: Fuel Oil and Heating (Residential and Commercial)  
**Type:** Resolution      **Status:** Adopted  
**File created:** 3/4/2020      **In control:** Administration  
**On agenda:** 5/6/2020      **Final action:** 5/6/2020

**Title:** Dept/ Agency: Administration/Division of Central Purchasing  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Bid Contract(s)  
Purpose: Maintenance and Repair: Fuel Oil and Heating (Residential and Commercial) I  
Entity Name(s)/Address(s): Naughton Energy Corp., 1898 Route 940, Box 709, Pocono Pines, Pennsylvania 18350  
Contract Amount: \$980,000.00  
Funding Source: 2020 Budget/Department of Economic and Housing Development, Division of Property Management/NW011-150-1504-83540;  
Department of Water and Sewer Utilities/ NW037-750-7502-83540;  
Department of Public Works, Division of Public Buildings/ NW011-060-0604-71650  
Contract Period: To be established for a period not to exceed twenty-four (24) consecutive months  
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:  
This contract will be used to provide maintenance and repair, fuel oil and heating, to residential and commercial properties for various agencies in the City of Newark.

Advertisement Date: February 11, 2020  
Bids Solicited: Two (2)  
Bids Received: One (1)

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
5/6/2020	1	Municipal Council	Adopt	Pass

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**WHEREAS**, on February 11, 2020, the City of Newark, through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Maintenance and Repair: Fuel Oil and Heating (Residential and Commercial) for the Department of Public Works, Division of Public Buildings; Department of Economic and Housing Development, Division of Property Management; and the Department of Water and Sewer Utilities, as described in the attached bid proposal; and

**WHEREAS**, the Division of Central Purchasing distributed two (2) bid proposal packages to prospective vendors following the date of advertisement; and

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

**WHEREAS**, on February 27, 2020, the Division of Central Purchasing received one (1) bid in response to this advertisement; and

**WHEREAS**, the Senior Manager of the Department of Economic and Housing Development, Division of Property Management and the Director of the Department of Water and Sewer Utilities, recommended that a single award be made to Naughton Energy Corp., 1898 Route 940, Box 709, Pocono Pines, Pennsylvania 18350, the only responsive and responsible bidder; and

**WHEREAS**, the Purchasing Agent, QPA, concurs with the recommendations from the Senior Manager of the Department of Economic and Housing Development, Division of Property Management and the Director of the Department of Water and Sewer Utilities, that a single award be made to Naughton Energy Corp., 1898 Route 940, Box 709, Pocono Pines, Pennsylvania 18350, the only responsive and responsible bidder; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding prices bid for consideration until such time as an award is made, as the law permits; 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 Agent, QPA, are hereby authorized to enter into and execute a contract with Naughton Energy Corp., 1898 Route 940, Box 709, Pocono Pines, Pennsylvania 18350, the only responsive and responsible bidder; to provide Maintenance and Repair: Fuel Oil and Heating (Residential and Commercial) for the City of Newark, Department of Public Works, Division of Public Buildings, Department of Economic

and Housing Development, Division of Property Management, and the Department of Water and Sewer Utilities, whose bid was received on the advertised due date and determined to be the only responsive and responsible bidder in accordance with the bid specifications. 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, at a cost not to exceed Nine Hundred Eighty Thousand Dollars and Zero Cents (\$980,000.00).

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 2020 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: Department of Economic and Housing Development, Division of Property Management/NW011-150-1504-83540; Department of Water and Sewer Utilities/ NW037-750-7502-83540; and the Department of Public Works, Division of Public Buildings/ NW011-060-0604-71650. This contract shall not exceed Nine Hundred Eighty Thousand Dollars and Zero Cents (\$980,000.00) for a period to be established and not to exceed twenty-four (24) consecutive months for one (1) vendor.
5. The Purchasing Agent, QPA, shall file a copy of this Resolution and the duly executed copy of the 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 and/or his designee, the Purchasing Agent, QPA, to enter into and execute a contract with Naughton Energy Corp., 1898 Route 940, Box 709, Pocono Pines, Pennsylvania 18350 to provide Commercial Maintenance and Repair , Fuel Oil and Heating (Residential and) to the City of Newark, Department of Public Works, Division of Public Buildings, Department of Economic and Housing Development, Division of Property Management, and the Department of Water and Sewer Utilities, at a cost not to exceed Nine Hundred Eighty Thousand Dollars and Zero Cents (\$980,000.00) for a period to be established and not to exceed twenty-four (24) consecutive months.