



Legislation Text

File #: 21-1265, Version: 1

**..Title**

**Dept/ Agency:** Administration/Division of Central Purchasing

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Bid Contract(s)

**Purpose:** To provide Road Maintenance Salt, Bulk.

**Entity Name(s)/Address(s):** Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852

**Contract Amount:** Not to exceed \$2,636,000.00

**Funding Source:** 2021 Budget/Department of Public Works, Division of Sanitation/NW011-060-0605-83710-B2021/Department of Water and Sewer Utilities/NW037-750-7502-83710-B2021

**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:**

Advertisement in Newspaper: June 23, 2021

Bid uploaded to ProcurementNow Portal website: June 24, 2021

Bids Downloaded: Fourteen (14)

Addendum #1 Advertised in Newspaper: July 5, 2021

Addendum #1 uploaded to ProcurementNow Portal website: July 6, 2021

Bid opening date: July 22, 2021

Bids Received: Two (2)

**WHEREAS**, on June 23, 2021, the City of Newark through its Purchasing Agent, QPA, advertised to solicit bids for contractors to provide Road Maintenance Salt, Bulk for the Departments of Public Works, Division of Sanitation and the Department of Water and Sewer Utilities ("Road Maintenance Salt, Bulk"), as described in the attached bid proposal; and

**WHEREAS**, on June 24, 2021, the Division of Central Purchasing uploaded the published bid package for Road Maintenance Salt, Bulk on the City of Newark's ProcurementNow Portal website to provide broader access and download capability to potential bidders; and

**WHEREAS**, via the ProcurementNow Portal fourteen (14) bid proposal packages for Road Maintenance Salt, Bulk were downloaded by prospective vendors following the date of advertisement; and

**WHEREAS**, on July 5, 2021 the City of Newark through its Purchasing Agent, QPA, advertised Addendum #1 to Road Maintenance Salt, Bulk extending the bid opening date until July 22, 2021, which was uploaded on City of Newark's ProcurementNow Portal website on July 6, 2021 and sent to those prospective vendors who chose to follow the project and receive updates; and

**WHEREAS**, on July 22, 2021, the Division of Central Purchasing received three (3) bids in response to its advertised bid proposal for Road Maintenance Salt, Bulk, as amended through Addendum #1; and

**WHEREAS**, the bid results were 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 single award to be made to: Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852; and

**WHEREAS**, the Assistant Purchasing Agent, QPA, recommends that an award be made to: Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852, the lowest, responsive and responsible bidder per line item commodity, per year to provide Road Maintenance Salt, Bulk 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. 19:44A 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 of the City of Newark and/or Business Administrator hereby authorized to enter into and execute a contract with: Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852 to receive line item #1 for year one and year two, to provide Road Maintenance Salt, Bulk for the City of Newark, whose bid was received on the advertised due date and determined to be the lowest, responsive and responsible bidder per line item commodity per year. The term of the contract will be established for twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15, start date to commence upon fully executed contract.

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 2021 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: NW011-060-0605-83710-B2021/Department of Public Works, Division of Sanitation, NW037-750-7502-83710-B2021/Department of Water and Sewer Utilities, covering the amount of the order. This contract shall not exceed Two Million, Six Hundred Thirty-Six Thousand Dollars and Zero Cents (\$2,636,000.00) 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 Business Administrator to enter into and execute contract with Atlantic Salt, Inc., to provide, Road Maintenance Salt, Bulk to the City of Newark at a cost not to exceed \$2,636,000.00 for twenty-four (24) consecutive months for one (1) vendor.