



## Legislation Text

File #: 22-0444, Version: 1

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

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

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

**Purpose:** To provide Lead Hazard Control and Reduction and Homes Production (Contractors).

**Entity Name(s)/Address(es):**

- 1) Absolute Abatement and Construction Services, 2293 Springfield Avenue, Vauxhall, New Jersey 08088;
- 2) Apex Development, Inc., 358 Broadway, Newark, New Jersey 07104;
- 3) BGI Resources Intl., Corp., 80 Barclay Shopping Center, Suite 2 Cherry Hill, New Jersey 08034;
- 4) Enviro Science Solutions, LLC, Orange, New Jersey 07050;
- 5) Joseph Environmental, LLC, 80 Varsity Road, Newark, New Jersey 07106; and
- 6) Optimum Environmental Solution, LLC, Union, New Jersey 07083

**Contract Amount:** Not to exceed \$3,000,000.00

**Funding Source:** 2020 and 2021 Grants/Department of Health and Community Wellness, Division of Environmental Health/NW051-G20-H20QO-72040-HUD Lead Abatement Grant/NW051-G20-H20QO-72050-Healthy Homes Grant/NW051-G21-H210C-72040-Municipal Lead Abatement Grant

**Contract Period:** To be established for a period not to exceed (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 provide contractor services for Lead Hazard Control and Reduction and Home Production (Contractors) for the City of Newark, Department of Health and Community Wellness, Division of Environmental Health, with Lead Abatement Service.

Advertisement: October 27, 2021

Bid Downloaded: Thirty-One (31)

Bid Received: Nine (9)

Bid Rejected: Nine (9)

Re-advertisement: January 26, 2022

Bid Downloaded: Twenty-One (21)

Bid Received: Seven (7)

**WHEREAS**, on October 27, 2021, the City of Newark through its Purchasing Agent, QPA (the "City"), advertised to solicit a bid to provide Lead Hazard Control and Reduction and Home Production (Contractors) for the Department of Health and Community Wellness, Division of Environmental Health, as described in the attached bid proposal; and

**WHEREAS**, the Division of Central Purchasing published the bid package on the City of

Newark's new electronic procurement portal to provide a broader access and download capability to potential bidders; and

**WHEREAS**, on October 27, 2021, the Division of Central Purchasing received nine (9) bids in response to this advertisement; and

**WHEREAS**, nine (9) bids were rejected and deemed non-responsive due to failure to adhere to the prevailing wage pay schedule; and

**WHEREAS**, on January 26, 2022, the City of Newark through its Purchasing Agent, QPA, re-advertise to solicit a bid to provide Lead Reduction and Home Production (Contractors) for the Department of Health and Community Wellness, Division of Environmental Health, as described in the attached bid proposal; and

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

**WHEREAS**, on January 26, 2022, the Division of Central Purchasing received seven (7) bids in response to this re-advertisement; and

**WHEREAS**, the bid results were shared with the user agency and the recommendation to award was received from the Director of the Department of Health and Community Wellness, Division of Environmental Health that a multiple award be made to: (1) Absolute Abatement and Construction Services, 2293 Springfield Avenue, Vauxhall, New Jersey 08088; (2) Apex Development, Inc., 358 Broadway, Newark, New Jersey 07104; (3) BGI Resources International Corp., 80 Barclay Shopping Center, Suite 2, Cherry Hill, New Jersey 08034; (4) EnviroScience Solutions LLC, of Orange, New Jersey 07050; (5) Joseph Environmental, LLC, 80 Varsity Road, Newark, New Jersey 07106; (6) Optimum Environmental Solution LLC, of Union, New Jersey 07083; and (7) Turning Point Contracting Corp., 1125 Cranbury Road, Union, New Jersey 07083, the responsive and responsible bidders; and

**WHEREAS**, the Purchasing Agent, QPA concurs with the recommendations and recommends that a multiple award be made to: (1) Absolute Abatement and Construction Services, 2293 Springfield Ave., Vauxhall, New Jersey 08088; (2) Apex Development Inc., 358 Broadway, Newark, New Jersey 07104; (3) BGI Resources INTL. Corp., 80 Barclay Shopping Center, Suite 2, Cherry Hill, New Jersey 08034; (4) EnviroScience Solutions LLC, of Orange, New Jersey 07050; (5) Joseph Environmental Solutions, 80 Varsity Road, Newark, New Jersey 07106; (6) Optimum Environmental Solution, LLC, of Union, New Jersey 07083; and (7) Turning point Contracting Corp., 1125 Cranbury Road, Union, New Jersey 07083; as the responsible and responsive bidders; and

**WHEREAS**, the original recommendation was revisited and a multiple award was revised because Turningpont Contracting Corp. was unwilling to provide the required documents; and

**WHEREAS**, the Qualified Purchasing Agent now recommends that a multiple award be made to: 1) Absolute Abatement and Construction; 2) Apex Development, Inc.; 3) BGI Resources Intl. Corp.; 4) Enviro Science Solutions, LLC; 5) Joseph Environmental, LLC; and 6) Optimum Environmental Solution, LLC, as the remaining responsive and responsible bidders; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the recommended bidder consented to holding their prices 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 multiple contract with: (1) Absolute Abatement and Construction Services, 2293 Springfield Ave., Vauxhall, New Jersey 08088; (2) Apex Development, Inc., 358 Broadway Newark, New Jersey 07014; (3) BGI Resources, International Corp., 80 Barclay Shopping Center, Suite 2, Cherry Hill, New Jersey 08034; (4) EnviroScience Solutions LLC, of Orange, New Jersey 07050; (5) Joseph Environmental, LLC, 80 Varsity Road, Newark, New Jersey 07106; (6) Optimum Environmental Solution, LLC, of Union, New Jersey 07083, to provide Lead Hazard Control and Reduction and Homes Production (Contractors) for the City of Newark Department of Health and Community Wellness, Division of Environmental Health, whose bids were received on the re-advertised due date and determined to be the responsive and responsible bidders in accordance with the bid specifications. The term of the contract will be established for twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15.
2. 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 contracts.
3. There shall be no amendment or change of this contract without the approval of the Municipal Council by Resolution.
4. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Grant Funds for 2020 and 2021 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d).
5. This is an open-ended contract to be used as needed during the term of the contract. Thus, for 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: NW-051-G20-H20Q0-72040-HUD Lead Abatement Grant, 051-G20-H20Q0-72050-Healthy Homes Grant, 051-G21-H210C-72040-Municipal Lead Abatement Grant. Department of Health and Community Wellness Environmental Health Division. This contract shall not exceed Three Million Dollars and Zero Cents (\$3,000,000.00) for six (6) vendors for twenty-four (24) consecutive months with start date commencing when contract is fully executed.
6. The Purchasing Agent, QPA, shall file a copy of the Resolution and the duly executed copy of the contract shall be filed in the executed copy of this contract in the Office of the City Clerk.

7. If required by State Law, the Acting 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 Business Administrator to enter into and execute a multiple contract with: 1) Absolute Abatement and Construction Services; 2) Apex Development, Inc.; 3) BGI Resources International. Corp; 4) EnviroScience Solutions, LLC; 5) Joseph Environmental, LLC; 6) Optimum Environmental Solution, LLC to provide Lead Hazard Control and Reduction and Healthy Homes Production to the City of Newark, at an amount not to exceed \$3,000,000.00 for a period to be established and not to exceed twenty-four (24) consecutive months for six (6) vendors with the start date commencing upon full execution of contract.