



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 13-1112, Version: 1

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

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

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

**Purpose:** Recycling Municipal Curbside, Zone A and B

**Entity Name(s)/Address(s):** Joseph Smentkowski, Inc., 3 New York Avenue Jersey City, New Jersey 07307

**Contract Amount:** \$2,800,000.00

**Funding Source:** City Budget / Department of Neighborhood & Recreational Services, Division of Sanitation

**Contract Period:** A three year term upon approval of Municipal Council

**Contract Basis:** (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

(X) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Entity Name/Address:**

(

**Additional Information:**

Number of bids distributed: Fourteen (14)

Number of bids received: Six (6)

Rejected 1 of 6 bids

**WHEREAS**, on March 27, 2012, the City of Newark through its Purchasing Director advertised to solicit bids for contractor(s) to provide Recycling Municipal Curbside, Zone A and B, for the Department of Neighborhood & Recreational Services, Division of Sanitation, as shown by the blank bid proposal submitted herewith; and

**WHEREAS**, the Division of Central Purchasing distributed fourteen (14) bid proposal packages to prospective vendors from its established bidders list following the date of advertisement; and

**WHEREAS**, on April 19, 2012, addendum #1 was issued extending the due date and advising all bidders on record, of forthcoming written answers to questions posed in response to the advertisement for proposals; and

**WHEREAS**, on May 3, 2012, six (6) bids were received in response to this advertisement; and

**WHEREAS**, one bidder was rejected after review, as being non-responsive with New Jersey Local Public Contracts Law which requires complete stockholder disclosure; and

**WHEREAS**, the Purchasing Director recommends an award be made to Joseph Smentkowski, Inc., the lowest responsive responsible bidder; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-24, the bidder consented to holding prices bid for

consideration, until such time as an award is made, and 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 Director are hereby authorized to enter into contract with Joseph Smentkowski, Inc., 3 New York Avenue, Jersey City, New Jersey 07307, to provide RECYCLING MUNICIPAL CURBSIDE, ZONE A AND B, to the City, whose bid was received on the advertised due date and determined to be the lowest responsive, responsible bidder, in accordance with bid specifications.
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 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 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 (c), shall be incurred each time an order is placed covering the amount of the order. This contract shall not exceed \$2,800,000.00 for three (3) years.
5. It is the responsibility of the Director of the Department of Neighborhood & Recreational Services to ascertain the availability of sufficient funds, before ordering the service and that the services are in compliance with the specifications and will provide the Municipal Council, the Business Administrator and the Purchasing Director with appropriate monthly reports during the term of the contract.
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:**

Resolution authorizing a contract to be awarded to Joseph Smentkowski, Inc., to provide Recycling Municipal Curbside, Zone A and B to the City of Newark at a cost not to exceed \$2,800,000.00 for

three (3) years.