



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 18-1552, Version: 1

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

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

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

**Purpose:** To provide tree removal, pruning, root and stump removal services to the city

**Description:** Tree Removal, Pruning, Root and Stump Removal Services

**Entity Name(s)/Address(s):** Downes Tree Service Co, Inc. 65 Royal Avenue, Hawthorne, New Jersey 07506

**Contract Amount:** \$2,000,000.00

**Funding Source:** 2018 Budget/ Department of Public Works / Division of Parks and Grounds

**Account Code Line:** NW011-0603-7169 B2018/ Department of Public Works

**Contract Period:** To be established for a period not to exceed two years, pursuant to N.J.S.A. 40A:11-15

**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 Date: July 17, 2018/ Postponed

Number of Bids Solicited: Ten (10)

Number of Bids Received: Zero (0)

Re-Advertisement Date: August 10, 2018/ Addendum

Number of Bids Solicited: Ten (10)

Number of Bids Received: Two (2)

**WHEREAS**, on July 17, 2018, the City of Newark through its Purchasing Agent, advertised to solicit bids for contractor(s) to provide Tree Removal, Pruning, Root and Stump Removal Services, to the Department of Public Works with a due date of August 9, 2018, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed ten (10) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on August 9, 2018 the Division of Central Purchasing received no bids; and

**WHEREAS**, on August 10, 2018, the City of Newark through its Purchasing Agent, re-advertised to solicit bids for contractor(s) to provide Tree Removal, Pruning, Root and Stump Removal Services, to the Department of Public Works, with a due date of August 20, 2018, as per the bid proposal attached hereto; and

**WHEREAS**, the Division of Central Purchasing distributed ten (10) bid proposal packages to prospective vendors following the date of advertisement; and

**WHEREAS**, on August 20, 2018, two (2) bids were received in response to this advertisement, Millennium Tree Service and Downes Tree Service Co. Inc.; and

**WHEREAS**, on August 20, 2018, Millennium Tree Service bid was rejected for failure to submit the bid bond as required by specifications; and

**WHEREAS**, the Director of Public Works recommended that an award be made to Downes Tree Service Co., Inc., as the lowest responsive and responsible bidder; and

**WHEREAS**, the Purchasing Agent, concurred with the recommendation from the Director of Public Works that an award be made to Downes Tree Service Co., Inc., the lowest responsive and 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, 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, are hereby authorized to enter into a contract with Downes Tree Service Co., Inc., 65 Royal Avenue Hawthorne, New Jersey 07506, to provide Tree Removal, Pruning, Root and Stump Removal Services to the City, whose bid was received on the advertised due date and determined to be the lowest responsive and responsible bidder, in accordance with the bid specifications. The term of the contract will be established for a period not to exceed a two (2) year term, pursuant to N.J.S.A. 40A:11-15, at a cost not to exceed \$2,000,000.00, for one (1) vendor.
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 2018 and subsequent years are contingent upon appropriations; pursuant to N.J.A.C. 5:30-5.5(d).
4. This is an open-ended contract to be used as needed, during the term of 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 lines, NW011-060-0603-7169-B2018 / Department of Public Works covering the amount of the order. This contract shall not exceed \$2,000,000.00, for a period to be established, not to exceed two (2) years.

5. A duly executed copy of the contract shall be forthwith filed in the Office of the City Clerk by the Purchasing Agent.

6. If required by State Law, the Office of 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**

This resolution authorizes the Mayor and/or his designee, the Purchasing Agent, to enter into a contract with Downes Tree Service Co., Inc., to provide Tree Removal, Pruning, Root and Stump Removal Services to the City of Newark at a cost not to exceed \$2,000,000.00, for a period to be established, not to exceed two (2) years for one (1) vendor.