



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 15-2455, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Bid Contract(s)

Purpose: Pequannock Water Treatment Plant Improvements

Phase-2 Contract 06WS2011

Entity Name(s)/Address(s): Allied Construction Group, Inc. 499 Washington Road, Parlin, New Jersey 08859

Contract Amount: \$4,877,000.00

Funding Source: Department of Water and Sewer Utilities Capital Budget

Contract Period: 360 days from notice to proceed

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

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

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

Entity Name/Address:

Additional Information:

Bid packages distributed: Ten (10)

Bids received: Three (3)

WHEREAS, the City of Newark advertised Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2, on November 9, 2015; and

WHEREAS, the Department of Water and Sewer Utilities distributed ten (10) bid packages to prospective vendors following the date of bid advertisement; and

WHEREAS, on December 10, 2015, three (3) bids were received for the said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Allied Construction Group, Inc., 499 Washington Road, Parlin, New Jersey 08859 submitted the lowest responsive and responsible bid, according to the specifications, in the total amount of \$4,877,000.00; and

WHEREAS, Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2 is funded by a low interest loan from the New Jersey Department of Environmental Protection (NJDEP), and the New Jersey Environmental Infrastructure Trust (NJEIT), for which the City of Newark received an approval from the NJDEP; and

WHEREAS, the City of Newark wishes to accept the lowest responsible bid submitted by Allied Construction Group, Inc., on December 10, 2015, and execute Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2, with Allied Construction Group, Inc., for the total amount not to exceed \$4,877,000.00; and

WHEREAS, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order"), which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract of a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds; and

WHEREAS, this contract is for an amount over \$17,500.00 and is being awarded as a Fair and Open contract pursuant to N.J.S.A. 19:44A-20.5.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Municipal Council hereby authorizes the Mayor and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the lowest responsive and responsible bid submitted by Allied Construction Group, Inc., 499 Washington Road, Parlin, New Jersey 08859 and execute Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2, with Allied Construction Group, Inc., for a total amount not to exceed \$4,877,000.00.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$4,877,000.00, are available in the Capital Budget under Business Unit NW041, Department ID 11W, Project 11W00, Account # 94710, and which shall be filed along with the original resolution in the Office of the City Clerk.
3. There shall be no amendment or change to the contract without approval by the Newark Municipal Council.
4. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
5. A fully executed copy of the contract shall be filed in the Office of the City Clerk, by the Director of Water and Sewer Utilities.
6. A fully executed copy of the contract shall be filed with the New Jersey Department of Environmental Protection (NJDEP), by the Director of Water and Sewer Utilities.
7. This contract is being awarded pursuant to the fair and open procedures of the Pay-to-Play Law N.J.S.A 19:44A-20.5 and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1)(a)(i)), and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.

8. Notice of the award of this contract shall be made by the City Clerk on the form prescribed by the Office of the State Comptroller (OSC Contract Compliance Form A) to the Comptroller of the State of New Jersey pursuant to N.J.S.A. 52:15C-10 as the planned expenditures for the referenced contract exceeds \$2,000,000.00.

9. 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 Director of the Department of Water and Sewer Utilities, to accept the lowest responsive and responsible bid submitted by Allied Construction Group, Inc., 499 Washington Road, Parlin, New Jersey 08859 and execute Contract 06-WS2011 Pequannock Water Treatment Plant Improvements Phase-2, for a total amount not to exceed \$4,877,000.00.