



Legislation Text

File #: 23-1442, Version: 1

Dept/ Agency: Administration/Division of Central Purchasing

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

Type of Service: Bid Contract(s)

Purpose: To purchase Road Maintenance Salt, Bulk.

Entity Name(s)/Address(s):

1) Morton Salt, Inc., 444 West Lake Street, Chicago, Illinois 60606

2) Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, Massachusetts 01852

Contract Amount: Not to exceed \$500,000.00

Funding Source: 2023 Budget/Department of Water and Sewer Utilities/NW037-750-7502-83710-B2023/Department of Public Works, Division of Sanitation/ NW011-060-0605-83710-B2023

Contract Period: To be established for a period not to exceed twenty-four (24) consecutive months commencing upon the 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:

To provide Road Maintenance Salt, Bulk for the Department of Public Works, Division of Sanitation and the Department of Water and Sewer Utilities.

Advertisement Date: August 2, 2023

Addendum #1 Advertisement Date: August 9, 2023

Bids Downloaded: Thirteen (13)

Bid opening Date: August 24, 2023

Bids Received: Seven (7)

WHEREAS, on August 2, 2023 the City of Newark, through its Purchasing Agent, QPA, (the "City") 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, the Division of Central Purchasing published the bid package on the City of Newark's electronic procurement portal to provide broader access and download capability to potential bidders; and

WHEREAS, on August 9, 2023, the Division of Central Purchasing issued Addendum #1 to Road Maintenance Salt, Bulk; and

WHEREAS, on August 24, 2023, the Division of Central Purchasing received seven (7) bids in response to its advertised bid proposal for Road Maintenance Salt, Bulk, as amended through Addendum #1; and

WHEREAS, the Director of Public Works, Division of Sanitation recommended a dual award be made to 1. Morton Salt, Inc., 444 West Lake Street, Chicago, Illinois 60606 and 2. Atlantic Salt,

Inc., 134 Middle Street, Ste. 210, Lowell, Massachusetts 01852 the lowest, responsive and responsible bidders per commodity per year; and

WHEREAS, the Purchasing Agent, QPA, concurs with the recommendation to make a dual award to 1. Morton Salt, Inc., 444 West Lake Street, Chicago, Illinois 60606 and 2. Atlantic Salt, Inc., 134 Middle Street, Ste. 210, Lowell, Massachusetts 01852, the lowest, responsive, and responsible bidders per year; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, the recommended bidders consented to holding their prices beyond sixty (60) days and until such time an award is made; 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 designees, the Business Administrator and/or the Purchasing Agent, QPA, are hereby authorized to enter into and execute contracts with Morton Salt, Inc., 444 West Lake Street, Chicago, Illinois 60606, for year one, and Atlantic Salt, Inc., 134 Middle Street, Ste. 210, Lowell, Massachusetts 01852, for year two, to provide Road Maintenance Salt, Bulk, for the City's Department of Public Works, Division of Sanitation and the Department of Water and Sewer Utilities, whose bids were received on the advertised due date and determined to be the lowest, responsive, and responsible bidders in accordance with the bid specifications. The term of the contract will be established for a period not to exceed twenty-four (24) consecutive months, pursuant to N.J.S.A. 40A:11-15, upon the contract commencement date, at a cost not to exceed Five Hundred Thousand Dollars and Zero Cents (\$500,000.00) for two (2) vendors.
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 the contract in accordance with N.J.S.A. 40A:5-16. Funds for 2023 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 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: Department of Water and Sewer Utilities NW037-750-7502-83710-B2023 and Department of Public Works, Division of Sanitation NW011-060-0605-83710-B2023. This contract shall not exceed Five Hundred Thousand Dollars and Zero Cents (\$500,000.00) for a period to be established and not to exceed twenty-four (24) consecutive months with the start date commencing upon full execution of the contract.
5. The Purchasing Agent, QPA, shall file a copy of this resolution and the duly executed copy of

the 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 the 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 designees, the Business Administrator and/or the Purchasing Agent, QPA, to enter into and execute a multiple award contract with Morton Salt, Inc., 444 West Lake Street, Chicago, Illinois 60606 for year one, and Atlantic Salt, Inc., 134 Middle Street, Ste. 210, Lowell, Massachusetts 01852 for year two, to provide Road Maintenance Salt, Bulk to the City of Newark, for an amount not to exceed Five Hundred Thousand Dollars and Zero Cents (\$500,000.00) for a period to be established not exceeding twenty-four (24) consecutive months, with the start date commencing upon the full execution of the contract.