



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 18-0097, Version: 1

**Dept/ Agency:** Water and Sewer Utilities

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

**Type of Service:** Bid Contract

**Purpose:** Pequannock Residuals Treatment Facility Project - Contract 01-WS2014

**Entity Name:** Coppola Services, Inc.

**Entity Address:** 28 Executive Parkway, Ringwood, New Jersey 07456

**Total Contract Amount:** \$5,497,500.00

**Funding Source:** Department of Water and Sewer Utilities Capital Budget

**Contract Period:** Four hundred sixty (460) calendar days from Notice to Proceed

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

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

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) N/A

**Additional Information:**

Bids Distributed: Eleven (11)

Bids Received: Three (3)

**WHEREAS**, on November 20, 2017, the City of Newark advertised Contract 01-WS2014 Pequannock Residuals Treatment Facility Project; and

**WHEREAS**, the Department distributed eleven (11) bid packages to prospective vendors following the date of bid advertisement; and

**WHEREAS**, on December 21, 2017, the Department of Water and Sewer Utilities received three (3) bids for said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Department of Water and Sewer Utilities reviewed the bids, and the bid submitted by CMS Construction Inc., and the bid submitted by Stone Hill Contracting Inc were rejected as non-responsive to the bid specifications and specifically to the City of Newark's Affirmative Action Program and the Minority Business Enterprise/Women Business Enterprise (MBE/WBE) utilization requirements as this requirement is a material condition of the bid that cannot be cured or waived; and

**WHEREAS**, Coppola Services, Inc., 28 Executive Parkway, Ringwood, New Jersey 07456 submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of \$5,497,500.00; and

**WHEREAS**, the City of Newark wishes to accept the lowest responsible bid submitted by Coppola Services, Inc., on December 21, 2017, and execute Contract 01-WS2014 Pequannock Residuals Treatment Facility Project, with Coppola Services, Inc., 28 Executive Parkway, Ringwood, New Jersey 07456, for the total amount not to exceed \$5,497,500.00; 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 responsible bid submitted by Coppola Services, Inc., on December 21, 2017, and execute Contract 01-WS2014 Pequannock Residuals Treatment Facility Project with Coppola Services, Inc., 28 Executive Parkway, Ringwood, New Jersey 07456, for the total amount not to exceed \$5,497,500.00.
2. Attached hereto is a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of \$5,497,500.00, are available in the Water and Sewer Capital Budget under Business Unit NW041, Department ID 11W, Division/Project 11W00, Account # 94710, Budget Ref: B2011 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.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.
3. The Department of Water and Sewer Utilities shall file a fully executed copy of the contract in the Office of the City Clerk.
3. This contract was solicited and awarded pursuant to the fair and open procedures in accordance with the State 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 the City's Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
3. 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 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 responsible bid submitted by Coppola Services, Inc., on December 21, 2017, and execute Contract 01-WS2014 Pequannock Residuals Treatment Facility Project, with Coppola Services, Inc., 28 Executive Parkway, Ringwood, New Jersey 07456, for the total amount not to exceed \$5,497,500.00, for a period of four hundred sixty (460) calendar days from the date of the Notice to Proceed.