



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 16-0898, Version: 1

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

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

**Type of Service:** Bid Contract

**Purpose:** Replacement of Fire Hydrants - Contract 05-WS2016

**Entity Name:** Underground Utilities Corporation

**Entity Address:** 711 Commerce Road, Linden, New Jersey 07036

**Total Contract Amount:** Amount not to exceed \$1,293,205.00

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

**Contract Period:** 365 calendar days from the 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:** N/A

Bid Packages Distributed: Twelve (12)

Bids Received: Six (6)

**WHEREAS**, the City of Newark advertised Contract 05-WS2016 Replacement of Fire Hydrants located at various locations in the City of Newark, on April 25, 2016; and

**WHEREAS**, the Department of Water and Sewer Utilities ("Department") distributed twelve (12) bid packages to prospective vendors following the date of bid advertisement; and

**WHEREAS**, on May 12, 2016, the Department received six (6) bids for said project in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036 submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of \$1,293,205.00; and

**WHEREAS**, the City of Newark wishes to accept the lowest responsible bid submitted by Underground Utilities Corp, on May 12, 2016, and execute Contract 05-WS2016 Replacement of Fire Hydrants, with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, for the total amount not to exceed \$1,293,205.00; 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 Underground Utilities Corporation, on May 12, 2016, and execute Contract 05-WS2016 Replacement of Fire Hydrants with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, for the total amount not to exceed \$1,293,205.00 for a term of 365 calendar days from the Notice to Proceed.
2. Pursuant to N.J.A.C. 5:30-5.5(d)1(ii) (multi-year contracts), attached hereto is a partial Certification of Funds from the Chief Financial Officer, which states the funds in the amount of \$50,000.00, are available in the Water and Sewer Budget under Business Unit NW037, Department ID 750, Division/Project 7505, Account # 71960, and which shall be filed along with the original resolution in the Office of the City Clerk. The Director of the Department of Water and Sewer Utilities is further authorized to extend the contract to the full value of \$1,293,205.00 when additional funds in the amount of \$1,243,205.00 are certified from the Budget of the Department of Water and Sewer Utilities, and a copy of the Certification of Funds is filed 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. A fully executed copy of the contract shall be filed in the Office of the City Clerk, by the Department of Water and Sewer Utilities.
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 the 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 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 responsible bid submitted by Underground Utilities Corporation, on May 12, 2016, and execute Contract 05-WS2016 Replacement of Fire Hydrants located at various locations in the City of Newark, with Underground Utilities Corporation, 711 Commerce Road, Linden, New Jersey 07036, for the total amount not to exceed \$1,293,205.00 for a term of 365 calendar days from the Notice to Proceed.